

COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

FILED
COURT OF APPEALS
DIVISION II

2012 DEC 26 AM 11:29

STATE OF WASHINGTON

Respondent,

v.

Michael Andrew Hecht
(your name)

Appellant.

No. 40057-0-01

DEPUTY

STATEMENT OF ADDITIONAL
GROUND FOR REVIEW

I, Michael Hecht, have received and reviewed the opening brief prepared by my attorney. Summarized below are the additional grounds for review that are not addressed in that brief. I understand the Court will review this Statement of Additional Grounds for Review when my appeal is considered on the merits.

Additional Ground 1

My Right to Remain Silent, Prepare my defenses with my lawyer AND NOT be required to disclose this work product prior to trial was denied see ACTIONS OF COMMISSION ON JUDICIAL CONDUCT CJC RP 20(a) AND CJC RP 21(a) IN CONCERT WITH A.G. Hillman
See Summary of Grounds/Statement Attached Pages 1-5 AND Exhibits Attached

Additional Ground 2

My Right to remain silent, Prepare my defense with my ATT. AND NOT be required to disclose work product prior to trial was denied see ACTIONS OF A.G. Hillman AND USE OF Material Witness Warrants AND Resulting Video Depositions
See Summary of Grounds/Statement Attached - Pages 1-5 AND Exhibits Attached

If there are additional grounds, a brief summary is attached to this statement.

See Summary Re. Grounds #1 though Ground #4 ALSO ATTACHED Exhibits in support of #1 though #4

Date:

12/26/12

Signature:

Michael Hecht

SUMMARY OF GROUNDS

Appellant Michael Hecht

No. 40057-0-11

Statement of Additional Grounds for review

I. I was denied my right to remain silent, prepare my defense with my attorney and not be required to disclose said work product, prior to the trial.

Morgan Armijo and or friends of Armijo initiated the basis for the criminal charges (See exhibit M). They also made complaints to the Commission on Judicial Conduct (exhibit N) regarding the same allegations in the criminal dossier. Armijo and or friends of Armijo also made a WA State Bar complaint based on the same allegations. The WA State bar agreed to postpone investigation and action until the criminal case was resolved. However, the Commission on Judicial Conduct insisted that I file formal and complete answers to each and every allegation stated on the statement of charges (See exhibit A) the same allegations forming the basis of the criminal complaint.

Statement of Allegations, 3-17-2009 complaint # 5863-F-142 was filed. In accordance with CJCRP 20 (a) respondent **shall** file a written answer to this statement of charges...within 21 days after the date of service of the Statement of Charges, or the allegations would be deemed admitted. Pursuant to CJCRP 21 (a) failure to answer the written charges **shall** constitute an admission of the factual allegations. There for, I was required to disclose my defense and evidence prior to trial to each allegation.

In a letter dated 4-14-2009 to attorney Fricke the CJC stated that under CJCRP 11 after the Statement of Charges is filed, it and all subsequent proceedings in the matter are public (See exhibit B). The Commission on Judicial Conduct refused to keep the answers confidential and intentionally shared all of my answers and exhibits with Attorney General Hillman. My answer to Statement of Charges to the CJC was extensive 9 written pages plus 34 pages of attachments (See exhibit C). The Commission on Judicial Conduct also posted my responses on their website which was picked up by the Tacoma News Tribune which published it in the paper. The investigator for the CJC was working in concert with AG Hillman. Clearly my right to remain silent and protect attorney client work product was eviscerated. The answer filed prior to trial listed 20 witnesses and evidence explaining in detail, my defenses in the criminal case. It should be noted that the CJC investigative council Michelle Slotemaker was at my trial in court daily working with AG Hillman.

II. I was denied my right to remain silent and was de facto forced to cross-examine witnesses prior to trial and further disclose my theory and defense prior to trial.

AG Hillman had witnesses arrested on material witness warrants and to be held in jail until trial. However, he then proceeded to get court ordered video depositions to preserve testimony in the event that said witnesses were unavailable. He further agreed with the witnesses prior to taking their deposition that he would allow the witnesses out

of jail on their own recognizance after testifying at the deposition, implying some sort of quid pro quo for their testimony (See exhibit D).

III. The prosecutor denied me discovery crucial to my defense regarding the credibility of Detective Graham and his investigation.

Early on it came to our attention that Detective Graham had coerced and suborn perjury by threatening Edward Dean Smith with arrest and charges, as well as Patrick Graham (See exhibit E declaration of Anthony Mingee also exhibit F declaration of Patrick Graham).

Knowing that I have never meet prior to trial any of the witnesses who testified that they had an extensive lured sexual encounters with me, clearly, the declarations of Anthony Mingee and Patrick Graham seem compelling.

This information clearly formed my basis for probable cause to have the court pursuant to Henthorn, 815 F.2d 304 review in camera the personnel file and any internal affairs complaints against Detective Graham of a similar nature.

In response to our discovery request AG Hillman responded that he forwarded the request for Detective Grahams personnel file to city Attorney Michael Smith. In response the request City Attorney Michael Smith sent an email response to AG Hillman "I have reviewed the personnel file of Detective Graham and it contains no derogatory information of any kind, more specifically it contains no information that would warrant production under **Brady**" (See exhibit G)

Also in court 9-9-2009 (See exhibit P transcript) Mr. Fricke raise the issue of his prior request in July to get the personnel records of Detective Graham citing **Henthorne**. He then went on to say "My request, Your Honor, is that the Court do an ex part review of that file because I would have more confidence in the outcome if there's an independent individual looking at that making that determination as opposed to a legal advisor to the City's office.

The Court: Okay.

I made an extensive complaint to Internal affairs division and had a 1 hour taped interview with them, I provided them with declarations, names, addresses, telephone #'s on individuals who had knowledge of Detective Graham's improprieties and Internal affairs did not investigate or contact anyone (See exhibit H). Interestingly, IAD turned a blind eye to the criminal acts of Detective Graham. **What other similar complaints were made against Detective Graham of this nature?**

Although AG Hillman agreed to provide the personnel file he never produced it. I was denied the opportunity to discredit the credibility of Detective Graham and his investigation.

IV. Ineffective assistance of Council, my lawyer was not affective in the following meaningful ways;

Although he had probable cause based on affidavits stated above and independent discovery of Detective Grahams bad acts Attorney Fricke failed to pursue with the court the personnel records of Detective graham.

On date 9-9-2009 during a hearing on other matters the court stated: Well, theres the one remaining issue about the -- if the defense is still making a request that you're asking that I not allow access to the lead detective, I believe--

Mr. Hillman: Right

The Court: -- the personnel files

Mr. Hillman: Right. That was the defendant's motion.

The Court: It wasn't really a motion. That was, I think, an issue between the two of you, and then you brought it up by the way of a motion, is the defense still pursuing that?

Mr. Fricke: I'm going to make a written proffer, and then I'll let the court should, I guess, based on the cases that I read, should sign a subpoena, and then the Court can decide at that time for the records.

The Court: Based on what I read, I think the State has done what they need to do. I'll read it, if you choose to brief it. (See exhibit O)

Further, Attorney Fricke did not pursue the denial of the existence of any police reports, notes or memorialization of the 4:00 am stop of Eddie Smith by officer Beal, and his contacting Detective Graham based on a BOLO put out by Detective Graham.

The BOLO was put out because Edward Smith never showed up at the Nativity House as pre-arranged to meet with Detective Graham and Joseph Hesketh (See Exhibit E Anthony Mingee's declaration). Also see discovery 000575 (See exhibit I).

Clearly any notes records or reports of the stop of Eddie Smith by officer Beal would have supported the declaration of Anthony Mingee (AKA. Paco).

Attorney Fricke did not seek a subpoena for officer Beal's police report, records, or notes regarding the stop of Edward Smith.

Attorney Fricke did not pursue by subpoena the personnel records of Detective Graham to be brought to the judge for an in camera inspection.

In reference to Officer Beal and the 4:00am stop of Edward Smith and the personnel file of Detective Graham I asked in my email dated 8-12-2009 (See exhibit J) to Attorney Fricke the following:

Note # 3 "in reference to the alleged statement by Edward Smith - do we have officer Beal's incident report? Do we have Detective Graham's bulletin looking for Eddie Smith?"

Note # 2 "Where do we stand on reviewing the employment file of Detective Graham?"

Clearly the documents were vital to my defense.

In addition Attorney Fricke did not challenge the competency and or related credibility of John Marx when he clearly had personal concerns in regards to John Marx competency/credibility to testify. In response to AG Hillma's assertion to the Court 9-16-2009 that John Marx merely had depression and that defense should not be allowed to cross examine on that issue. However Mr. Fricke in reference to the interview he did with John Marx was that "my perception during the interview is that his psychological -- look for the right word to use -- potential issue I guess is what I will say, just my perception, that they go beyond depression and, quite frankly, I was debating whether to see if he's even competent to testify." (See exhibit Q)

Attorney Fricke did not call officer Beal who had direct knowledge and was present at the 4:00am BOLO stop as a witness at trial.

Further a significant part of my case was my 20 year legitimate relationship with Broadway "Antique Row". Clearly contrasting the innuendo by state witnesses particularly law enforcement testimony about the area, prostitution, and how Johns drive around on Broadway. I had a number of witnesses with extensive knowledge about my relationship, and my frequenting Broadway/Antique Row. I had asked Attorney Fricke to call and to put them on a supplemental witness list (See email witness list attached Exhibit J).

Denying my requests, Attorney Fricke responded by email dated 8-12-2009:

"We have many witnesses who speak of your dealings on Antique Row. The rule on cumulative evidence rule will prevent us calling each and every person who has knowledge of your dealings on Antique Row from testifying. Not to mention that we will lose touch with the jury and risk their anger for calling every person. I sure as hell don't want to call Bauer or Armijo--Do you think they will want to help you?" (See exhibit K).

The witness who would have been most credible and informative was Superior Court Judge Katherine Stoltz who had direct knowledge spanning over 20 years of my involvement with people and businesses on Broadway. Attorney Fricke refused to add Judge Stoltz as a defense witness .

I had discussions with Attorney Barbara Cory who advised me of records and discovery that I should obtain and how to procure said documents such as but not limited to Public disclosure requests I went over each item on the list with Wayne Fricke, however, he proceeded

without any action as I requested (See Exhibit L).

Conclusion

Clearly each of the above mentioned in actions by attorney Fricke individually and collectively, where harmful and prevented me from a fair trial.

Respectfully I would ask the court to reverse my convictions.

A

BEFORE THE COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON

In Re the Matter of

The Honorable Michael Hecht,
Judge of the Pierce County Superior Court

No. 5863-F-142

STATEMENT OF CHARGES

I. BACKGROUND

Judge Michael Hecht ("Respondent") is a Pierce County Superior Court Judge, having been sworn to that position on January 12, 2009. On February 27, 2009, the Commission on Judicial Conduct ("Commission") commenced initial disciplinary proceedings against Respondent, by serving him with a Statement of Allegations. Respondent submitted a response to the Statement of Allegations on March 17, 2009. At its April 10, 2009 meeting, the Commission found probable cause exists to believe Respondent violated the Code of Judicial Conduct and authorized the issuance of this Statement of Charges.

II. CONDUCT GIVING RISE TO CHARGES

Respondent is charged with violating Canons 1 and 2(A) and 7(B)(1)(a) of the Code of Judicial Conduct by engaging in illegal or otherwise indecorous and inappropriate behavior; to wit: patronizing prostitutes; harassing or threatening persons whom he believed were discussing his interactions with and payment of prostitutes; using racist language in public conversation; and engaging in unfair campaign conduct.

The foregoing charges are based upon, but not limited to, the following conduct.

Respondent is charged with paying Joseph H for performing sexual acts with Respondent on a number of occasions between 1997 and 2001. Some of these acts

occurred when Mr. H was a minor. Respondent sought out Mr. H in downtown Tacoma, and took him to Respondent's law office, where the sexual activity took place.

Respondent is also charged with paying Joseph P for performing sexual acts on Respondent on several occasions during 2007 and 2008. Respondent sought out Mr. P in the downtown Tacoma area known as "Antique Row" and took him to Respondent's law office, where the sexual activity occurred. After each sexual engagement, Respondent paid Mr. H or Mr. P in cash.

Respondent is also charged with threatening behavior directed at Mr. H and Albert Milliken, in late August, 2008, after Respondent came to believe that the two men were talking to others about Respondent's conduct with young male prostitutes.

Respondent is also charged with paying John M for performing sexual acts with Respondent on a number of occasions between 2000 and 2002. Respondent sought out Mr. M, also in the downtown Tacoma area known as "Antique Row" and took him to Respondent's law office, where the sexual activity occurred. After the sexual activity, Respondent paid Mr. M in cash.

Respondent is also charged with providing legal services in exchange for sexual activity with Bryan C on one occasion in 1996. Respondent met Mr. C in downtown Tacoma, and later met with him at his law office to discuss a legal issue. After agreeing to assist Mr. C, Respondent requested Mr. C perform a sexual act on Respondent, which Mr. C refused. Mr. C ultimately performed a different sexual act on Respondent, and Respondent later attended to Mr. C's legal issue.

Respondent is also charged with repeatedly using the term "nigger" in conversation with Milo Lick, John Paterno and Guy Shepard (on or about the summer of 2007).

Respondent is also charged with stealing his opponent's campaign signs during the 2008 judicial campaign.

STATEMENT OF CHARGES - 2

III. BASIS FOR COMMISSION ACTION

On April 10, 2009, the Commission determined that probable cause exists to believe that Respondent has violated Canons 1, 2(A) and 7(B)(1) of the Code of Judicial Conduct. These sections of the Code state:

CANON 1

Judges shall uphold the integrity and independence of the judiciary.

An independent and honorable judiciary is indispensable to justice in our society. Judges should participate in establishing, maintaining and enforcing high standards of judicial conduct, and shall personally observe those standards so that the integrity and independence of the judiciary will be preserved. The provisions of this Code are to be construed and applied to further that objective.

Comment

Deference to the judgments and rulings of courts depends upon public confidence in the integrity and independence of judges. The integrity and independence of judges depends in turn upon their acting without fear or favor. Although judges should be independent, they must comply with the law, including the provisions of this Code. Public confidence in the impartiality of the judiciary is maintained by the adherence of each judge to this responsibility. Conversely, violation of this Code diminishes public confidence in the judiciary and thereby does injury to the system of government under law.

CANON 2

Judges should avoid impropriety and the appearance of impropriety in all their activities.

(A) Judges should respect and comply with the law and should act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

...

Comment

Maintaining the prestige of judicial office is essential to a system of government in which the judiciary functions independently of the executive and legislative branches. Respect for the judicial office facilitates the orderly conduct of legitimate judicial functions. Judges should distinguish between proper and improper use of the prestige of office in all of their activities.

The testimony of judges as character witness injects the prestige of their office into the proceeding in which they testify and may be misunderstood to be an official testimonial. This canon however, does not afford judges a privilege against testifying in response to a subpoena.

STATEMENT OF CHARGES - 3

CANON 7

Judges shall refrain from political activity inappropriate to their judicial office.

(B)(1)(a) Candidates, including an incumbent judge, for a judicial office: should maintain the dignity appropriate to judicial office, and should encourage members of their families to adhere to the same stands of political conduct that apply to them.

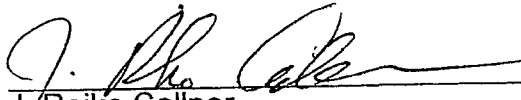
As to each of these Canon violations, the Commission's Rules of Procedure (CJCRP) provide that: "The Commission has jurisdiction over judges regarding allegations of misconduct occurring prior to or during service as a judge and regarding allegations of incapacity during service as a judge." CJCRP 2(b)(1).

IV. RIGHT TO FILE A WRITTEN ANSWER

In accordance with CJCRP 20(a), Respondent shall file a written answer to this Statement of Charges with the Commission and serve a copy on disciplinary counsel Rita Bender, 1301 Fifth Avenue, Suite 3401, Seattle, Washington, 98101, within twenty-one (21) days after the date of service of the Statement of Charges. Pursuant to CJCRP 21(a), failure to answer the written charges shall constitute an admission of the factual allegations.

DATED this 14th day of April 2009.

COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON


J. Reiko Callner
Executive Director
P.O. Box 1817
Olympia, WA 98507

STATEMENT OF CHARGES - 4

B

CLIENT'S COPY



STATE OF WASHINGTON
COMMISSION ON JUDICIAL CONDUCT

P. O. Box 1817, Olympia, WA 98507
(360) 753-4585 FAX (360) 586-2918

April 14, 2009

CONFIDENTIAL

Wayne Fricke
Attorney at Law
Hester Law Group
1008 Yakima Avenue, Suite 302
Tacoma, WA 98405-4850

Re: CJC Complaint No. 5863

Dear Mr. Fricke:

As I advised you in earlier communications, at its meeting on April 10, 2009, the Commission considered whether probable cause exists to believe Judge Hecht violated Canons 1, 2(A) and 7(B)(1)(a) of the Code of Judicial Conduct in this matter. They did so find and, based upon this finding, the Commission authorized the filing of a Statement of Charges. (Copy enclosed.)

Under CJCRP 11, after the Statement of Charges is filed, it and all subsequent proceedings in this matter are public. (The records that formed the basis of the finding of probable cause do not become public until the date of the fact-finding hearing, however. Copies of those records will be sent to you promptly under separate cover.) Pursuant to CJCRP 20(a), you have twenty-one days from the date of service to file an answer. Under CJCRP 21(a), failure to answer the formal charges shall be deemed an admission of those charges and the Commission will proceed to determine the appropriate discipline.

Unless resolved, a public hearing will be conducted as required by Article IV, Section 31(3) of the Washington State Constitution. A Notice of Hearing will be sent to you.

Please file your answer with Disciplinary Counsel Rita Bender and provide a copy to the Commission. After reviewing the Statement of Charges and your answer, you should feel free to discuss with Ms. Bender matters in dispute that may require testimony and identify matters not in dispute.



Wayne Fricke
April 14, 2009
Page 2

Thank you for your continued cooperation in this matter.

Yours very truly,

A handwritten signature in black ink, appearing to read 'MS', followed by a long horizontal flourish line.

Michele Slotemaker
Investigative Counsel

Enclosures (as indicated)

cc: Rita Bender, Disciplinary Counsel

C

CLIENT'S COPY

BEFORE THE COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON

In Re the Matter of)	
)	No. 5863-F-142
The Honorable Michael Hecht,)	
Judge of the Pierce County Superior Court)	
_____)	

ANSWER TO STATEMENT OF CHARGES

I. ISSUES

1. Use of the word "Nigger". I categorically deny using the "N" word at any time. I find it degrading, offensive and inappropriate to use at any time. Guy Sheppard, my accuser, who said I used the "N" word in 2007 in a discussion attended by himself, Milo Lick and John Paterno, has animus towards me personally. In response to their lack of business I told his wife, Paula, she needs to lower her prices, carry small items or charge admission to her museum and "keep" her antiques. See Attachment "A" Declaration of Linda Lick.

Further, Milo Lick and John Paterno both deny the incident ever happened and in addition they have given statements that they have never heard me use the "N" word about anyone or to anyone. See Declarations of John Paterno #2 (Attachment "B") and Declaration of Milo Lick (Attachment "C").

These allegations against me of using the "N" word are completely unfounded and should be dismissed.

2. Allegations by John Earl Marx. John Earl Marx alleges that I met him downtown and that in the years 2000 - 2002 we had sexual relations for money at my law office on Pearl Street. I had no office on Pearl Street at that time. The Declaration of Colleen Grady (Attachment D), Doug Sulkosky (Attachment E), Clare West-Tate (Attachment F), Bill Harrington (Attachment G), Don Powell (Attachment H) and Eric Pollack (Attachment I) all attest to the fact that I had no office on Pearl Street at the time of these allegations. It was not until June of 2003 that I had this office. I used Colleen Allen Grady's address at 3643 North Pearl Street as my address so I would not have to give my home office address and so I could use her messenger service to send and receive documents. I had no access to the office after hours.

3. Joseph Hesketh. Joseph Hesketh told Glen Ripple that the only time he met me was when I drove up to him and wanted to talk to him. "Hesketh implicitly suggested that nothing had ever happened to him".

Joseph Hesketh also stated that there were "people wanting to bring Hecht down and were after him. They said he could make money as part of this". This case started with his allegations of having sex with me in 1999 and 2000 in my office on North Pearl Street and continued to an allegation that I threatened his life, which I did not do. I never knew or saw Joseph Hesketh until August 31, 2008. Prior to that date he made allegations that he had sex with me when he was a minor.

It was one of the homeless young men who was approached by Joseph Hesketh that called me to tell me what Joseph Hesketh said to him about the law suit. See Attachment "J" Declaration of William Anthony Mingee.

As stated in my defense against the allegations made by John Earl Marx, I did not have a law office on North 37th and Pearl Street until after June of 2003. He could not have been in this office as alleged.

Moreover, Joseph Hesketh in his statement to Detective Graham state that when he was in my office between 1999 and 2001 on Pearl Street that there was a veneer wood floor in the hall on the right that led to a french door that was my office. This hallway is in fact a solid wood floor hallway that was originally tile and was replaced with wood in 2005. In support of there being a tile floor until it was changed to wood in 2005 is Attachment "K", a copy of the check for payment of the work that was done and the Declaration by the installer of the wood floor. See Attachment "L" Declaration of Chris Spadafore. Additionally, Colleen Grady has

provided a copy of her check, which supports the date of the replacement, which is inconsistent with Mr. Hesketh's statement.

Nor did I ever threaten to kill Joseph Hesketh. Notwithstanding the fact that I do not have the type of car described by Mr. Hesketh, even his own parents dispute the allegations in their statements to the police, in which they indicate that there were no threats to kill. See Attachment "M" statement of Katinka Hesketh.

Joseph Pfiefer appeared and tried to explain who Joseph Hesketh was. I did not know who he was and Joseph Pfiefer offered to drive around town with me and see if he could point out Joseph Hesketh to me. When we were driving around he spotted Joseph Hesketh, who was with another older man (now known as Michael Mundorf). I drove over near them, I did not get out of my car, I rolled down the window, I made no gestures to them, I asked him why he was talking about me and he replied "I don't even know who you are mister". I made no threats. Joseph Pfiefer was in the car, he heard everything and he has given a statement that there were no threats. See Attachment "N" Declaration of Joseph Pfiefer. In addition, Joseph Hesketh had told other people that he did not know who Michael Hecht was and in effect had been lying. See Declarations of Glen Ripple (Attachment "O") and Bethina Golden (Attachment "P").

4. Judge Armijo's signs. I never interfered or took any of Judge Armijo's signs. The only signs that I ever had in my car were "Elect Hecht" signs. See Attachment "Q" the Declaration of Nate Duran who was a campaign worker that I would pick up on 9th and Commerce along with others, including my son, to hold signs or put signs out in the community. It was in fact, my signs that were always being interfered with.

5. Brian Cornforth - sex for services. Brian Cornforth made allegations that

in 1996 he met me while I was walking on Commerce Street. It should first be noted that I never walk anywhere and I have no recollection of ever meeting him downtown at all. He further says that he came to my office in the morning and that I was drafting a letter for him. I have looked up the only records that I had from that time and in fact I find that on October 10, 1996 a file was opened and that I did in fact write a letter for him. See Attachment "R". It would seem, based on the notation, that the letter was to International Design.

At that time, in 1996, I was buying furniture from the Las Vegas ASD show and dealing with a number of furniture companies. I had assumed that International Design was a furniture company, but in fact it was a company that sold designer perfumes door to door out of town. I do remember that a young man had had a problem. He told me he signed up to go to California, I believe, to sell perfume. A number of people lived in a hotel room and a lead person would take them around in a van and drop them off in areas to sell the perfume door to door. He told me that he did not get paid what he was owed, he wanted his money and that the person who had been in charge of the group had molested him.

In his statement to the police he said that I said to come and see me the next day. That is probably something that I would have done. I probably would have given him my card and said come see me, don't worry about it, we will work it out. That would be common for me to ease their mind and not to worry about paying for the service. The allegations that in my office, when I wrote the letter, that there was any sexual impropriety is absolutely false.

My office door was right across from the secretary's desk, probably five to six feet. In addition, this letter was started and a file opened at 9:41 a.m. At this time, there would be other people in the office waiting room. The waiting room was the secretary area, which had

two chairs to the right of my door and two chairs to the left of my door. My door being closed would not have insulated any sound because the walls and the doors were very thin. In addition, there was another attorney that would have had clients in the office at the time and also a section of the office had another secretary and an appraisal company that would have six or seven employees coming and going at that time.

It would be inconceivable that I would attempt any sexual misconduct when if he just yelled stop, don't or anything everybody would have heard it. In addition, he makes some embellishments about being in the office and seeing a family portrait on the wall. He said that he noticed my family with the three children and he looked at my daughter and wondered what I must be doing to her. I did not have a family portrait taken, therefore no picture could have been on my wall. The people most familiar with my office would be the secretary and the other attorney who will attest that there were in fact no family portraits on the wall. Please see Declaration of Doug Sulkosky (Attachment "E") and Clare Tate-West (Attachment "F").

6. Argument with Albert Milliken: I also never threatened Albert Milliken. I know Mr. Milliken because he is the owner of an antique store downtown and he does not like me. When my campaign started he stated I would never be judge. In the summer he met Judge Sergio Armijo's son, Morgan Armijo, and put an "Armijo" sign in his window. This was before the election. After that when I drove down Broadway to visit other antique dealers, see clients or look for campaign help he would point to his sign and wave at me. I would wave back. This went on throughout the summer.

I then learned that Albert was also going around to young men on Broadway or in the area and asking them if they knew Michael Hecht. He would steer them or tell them that

there was an investigation and Morgan Armijo and others wanted to talk to anyone who knew me. Other shopkeepers on the street were telling me that Albert was talking about me. At that point I went over to Albert's store and stood outside on the sidewalk. I did not want to go into his store. The door was open and I called into the store, "Albert, come on out. I want to talk to you". He was approximately 100 feet back towards the end of his store from the front door. I did not go into his store, he did not come out and I made no threats. I said one or two more times, "Albert, come on out I want to find out why you are talking about me", but he refused to come out. I then left. I never made any threats, gestures or in any way harassed him. See Declaration of Linda Lick (Attachment "A") and John Paterno (Attachment "B").

7. No money for Sex - Joseph Pfiefer: I am charged with paying Joseph Pfiefer for sex. This sex allegation alleges to have taken place in my office located at North 37th and Pearl Street, in my office which is located down the hall on the right to my door.

The sex for money allegation came from Joseph Pfiefer while he was in jail at Longview. At the time he made the statements to Detective Graham and the Commission representative, he felt pressured and now denies that he engaged in sex in exchange for money. See Attachment "S" Declaration of Joseph Pfiefer.

Further, Joseph Pfiefer made two unsolicited statements prior to the accusation.

The first such statement was to Bea/Bethina Golden, a social worker supervisor for the Department of Social and Health Services in Tacoma. See Attachment "P" declaration wherein Joseph Pfiefer indicated "in contacts with Michael Hecht, he has never made any sexual advances towards him, or said anything sexual in nature".

The second statement made by Joseph Pfiefer, which is inconsistent with me

paying him or any prostitutes for sex, was made on January 11, 2009 in a phone message left for me on my cell phone. The message stated, "Michael, it's Joe, Len told me to call you. I don't know what's up with all this bullshit their saying about you. Its messed up. I will write down - whatever the heck you call it". He left his home number and cell phone number. I never called him back or had contact with Joseph Pfiefer. The voicemail has be preserved.

On or about January 5, 2009 I called Len Nigro when I heard from Detective Graham and the Tacoma News Tribune that there was an investigation and an article coming out that alleged that I threatened to kill Joseph Hesketh and had sex with him when he was a minor in approximately the year 2000. I asked Len if he could find Joseph Pfiefer to have him call me. I knew for a fact that Joseph Pfiefer knew the following:

1. I never threatened Josphe Hesketh because at the time of the alleged death threat Joseph Pfiefer was in the car with me.
2. I did not even know who Joseph Hesketh was and that was why Joseph Pfiefer was in the car with me to point him out. Therefore, I could not have had sex with Joseph Hesketh.

See Attachment "N" Declaration of Joseph Pfiefer.

II. SUMMARY

1. I did not have an office at North 37th and Pearl Street during the times Joey Hesketh and John Marx alleged to have had sex with me in my office. See Declaration of Colleen Grady (Attachment "D"), Doug Sulkosky (Attachment "E"), Clare West-Tate (Attachment "F"), Bill Harrington (Attachment "G"), Don Powell (Attachment "H"), Eric Pollack (Attachment "I").

2. I did not even know Joseph Hesketh or his identity prior to 08/31/2008 and further that I did not make any threats to Joseph Hesketh.

3. I do not and have not used the word "Nigger", towards or about anyone.

4. I did not make any sexual advances towards Brian Cornforth in my office in 1996. I never traded legal services for sexual acts.

5. I have not interfered with the signs of Sergio Armijo during the election. Clearly, it was my "Elect Hecht" signs that were constantly interfered with during the election period.

6. I made no threat to Albert Milliken.

7. I have not had sexual relations with Joseph Pfiefer in exchange for money.

III. CONCLUSION

All charges against me should be dismissed, as they are not supported by credible evidence.

DATED this 28 day of April, 2009



Judge Michael Hecht

ATTACHMENT "A"

March 6, 2009
Lick's Antiques
746 Broadway
Tacoma, WA. 98402

To whom it may concern:

Michael Hecht has been a valued family friend and advisor. Professionally he has helped our business with legal advice and incorporating the shop. Personally he has helped with a sensitive issue with one of my daughters and never accepted payment for anything. He has always given us truthful advice even if we didn't like the answers.

Michael has been a part of our lives for the past seven years. When we first met him he was a customer that became a consigner. He also let us know about upcoming auctions and sales. He would put things in auctions for us when time would not permit it and bid on items for us if asked. He has become a daily fixture in our lives. He would swing by on his lunch hour or free time and weekends just to discuss daily events, things he thought would interest us, and talk about family, his and ours, Especially when he found out he was going to be a grandpa. We received weekly updates of the pregnancy, the birth, and as the child was getting older.

Sometimes the topics would include what we could do to improve business and often the conversations were joined by the other business owners around us. Sometimes the discussions got heated and Michael would give his honest opinion regardless of what others thought. More than once this caused a problem. One such incident was between Shepard House Antiques (Paula and Guy Shepard) and Antiques on Broadway (Frank) and us (Lick's antiques). We were discussing the lack of business when Frank blamed the no parking problem on the Pantages Theater hosting all the school events and all the parents that would come down to chaperone taking all the parking. Frank was going to write a formal complaint to the city about it. We disagreed and stated that a lot of the problem was definitely not enough parking but a lot of it had to do with the economy and what people were buying. People weren't buying serious antiques they were buying collectables. These were things that made them feel good and reminded them of their childhood and home. One of the big problems was also that a lot of shops refused to lower their prices. Paula disagreed with that statement. You could see that Michael was annoyed and he asked us if we had any problems selling smalls or any lack of business. When we answered no Paula had commented that they had sold real antiques and that they were not going to sell junk. Michael replied that she should charge admission to her museum and that way she could keep her real antiques and not sell junk or start selling smalls so she could make the rent. After that the discussion got heated and she walked away.

From that point on Paula and Guy had nothing nice to say about Michael and they wanted to know why he was always down on Antique Row and that he had no business down there, etc. There was another time when Michael and my father, Milo Lick, got into a heated discussion about him being unprepared in case of his death. Michael was trying to make Milo understand the importance of having his will and all the business papers and things in order. Michael was being serious and Milo is a bit of a kidder and he made a remark and Michael could not believe that he took this matter so lightly. When my father got home (We live next door to each other) he had not mentioned anything to me, but Michael called me to explain about the argument and he hoped that there were no hard feelings. When I asked my father about it he said it

March 6, 2009
Lick's Antiques
746 Broadway
Tacoma, WA. 98402

wasn't a big deal. It was just Michael being Michael making sure that the right thing was being done, but that Albert (another shop owner) and Paula had overheard it and could not believe that he would get into a heated discussion over something that didn't concern him.

All I know is that for the past few years there has been a serious dislike of Michael from the Shepards and Albert. Comments about why he cruises by all the time when in fact all he was doing was looking for a parking space to comments about him taking some of the homeless up for a coffee or getting them food at McDonalds or giving them odd jobs such as passing out flyers and putting up signs for his 2004/2008 campaign. He offered my own girls the same opportunities to make some money. There was always a negative comment about something that was totally positive. All of the shop owners know most of the homeless kids on the street. We deal with them daily in one way or another. We all have given them odd jobs, bought things from them for bus fair, given them money for food, or left food out for them. Michael did the same.

When Michael's campaign started Albert and Paula stated that he would never be judge, that he had no business being one. It seemed like a smear campaign. Every comment and remark about Michael was nasty. They put up large signs for his opponent and wanted my father and me to do the same. We declined. When all the rumors and whispers started about improprieties about Michael and the young men Albert and Paula would fuel the fire and try to involve Milo in the conversation and he told them he wanted nothing to do with their mess and would go back into his shop. When Milo would come home and I would ask him how the day went we would discuss it. He asked me if I believed any of it. I told him absolutely not and that I have been there when several of the homeless would call and ask him for a ride to court or if he could help them with some money or food because they were hungry or give them legal advice and answer questions about legal matters and Michael never said no. So as far as I know Michael never did any of the things he was accused of.

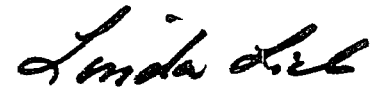
Albert has always been a nice enough person when it came to us. He also gave my daughter a summer job at the Puyallup Fair. Albert's life partner is a district manager for the scones. Albert is also an alcoholic. You can smell alcohol on his breath most of the time. There have been many times when he has had open containers of beer on the counter at his store. There have been many times when I was concerned, but not only I, but Paula as well, that he was driving home in that condition. Sometimes Albert would use common sense and just sleep at the shop. I personally believe that if Albert were not an alcoholic that perhaps he would have a different mindset on Michael's motives when concerning his relationship with the homeless on Broadway.

During all the years that I have known Michael Hecht and the times he has come to antique row I have never see him pick up or solicit anyone for prostitution. He always had a legitimate reason for driving by or being on Broadway if only to come by to say hi. As far as driving by over and over again (cruising) if you have ever been downtown on a weekend or weekday during business hours or god forbid market day or when the theater has a show or rehearsal you also would be accused of cruising. Antique Row is a one way street that consists of barley a block that you have to circle around several or more times to find a parking space if you're lucky.

March 6, 2009
Lick's Antiques
746 Broadway
Tacoma, WA. 98402

I Linda Lick have never heard Michael Hecht refer to any race or religious groups with a racial slur or speak of them in a demeaning or derogative way.

Thank You,
Linda Lick

A handwritten signature in black ink that reads "Linda Lick". The script is cursive and fluid, with the first name "Linda" being more prominent than the last name "Lick".

ATTACHMENT "B"

March 5th 2009

To Whom it May Concern,

I have already spoken to the judicial conduct investigator and apparently it needs repeating. I have known Michael Hecht for going on 12 yrs. and I have never heard him use any racial slurs. I myself have had 2 interracial relationships and Mike has known both and has never been rude or disrespectful. I have never heard the word nigger come out of his mouth! I feel sorry he is going thru this. As for threats. He's not that type of person. He doesn't threaten people, he gets along with everyone, so I don't understand where any of this is coming from.

Thank You

A large, stylized handwritten signature in black ink, which appears to be "John Paterno".

John PATERNO

ATTACHMENT "C"

1
2
3
4
5
6
7
8 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
9 IN AND FOR THE COUNTY OF PIERCE

10 STATE OF WASHINGTON,

11 Plaintiff,

12 vs.

13 MICHAEL ANDREW HECHT,

14 Defendant.

NO. 09-1-01051-1

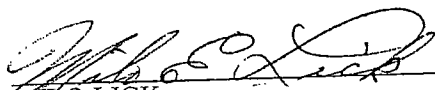
DECLARATION OF MILO LICK

15 MILO LICK who is over the age of 18 years, hereby makes the following declaration in
16 the above-entitled matter:

17 I have known Michael Hecht for about seven years. I have never heard him use the word
18 "Nigger" to anyone or about anyone.

19 I swear under the penalty of perjury of the laws of the State of Washington that the
20 foregoing statements are true and correct.

21 DATED this 6 day of April, 2009 at Tacoma, Washington.

22
23 
24 MILO LICK

25
26
27
28 DECLARATION OF
MILO LICK - 1

ATTACHMENT "D"

D

AFFIDAVIT

STATE OF WASHINGTON)
) ss:
County of Pierce)

COLLEEN ALLEN GRADY, being first duly sworn upon oath, deposes and says:

I am an attorney licensed to practice in Washington. I have known Michael Hecht since we met in law school approximately 1986. During law school Mr. Hecht worked part time at European Antiques on Pacific (Now U. of W). He worked on the third floor restoring and covering antique items that he had purchased at different auctions in the area and also for customers. During school and after we graduated we would attend several auctions including a weekly auction at Sanford & Sons and an auction across the street and down from Sanford & Sons. I had purchased a burned out home on Ainsworth and was restoring and remodeling it, with Michael's guidance.

Michael was continually contacted at the auctions by businessmen in the area for his advice on business matters. Many of those contacts led to representation of many of the auctioneers and businessmen on Broadway between 9th and 7th, or what I would refer to as antique row and the surrounding areas. On numerous occasions I would also accompany Michael to visit dealers in that area to look at items that he thought I might be interested in. He referred many of his clients to me if they had a family law issue. Although I don't remember the time line, I remember that Michael had an antique store near Sanford's that I think was called the Red Door. After that he had an office and a second hand store near Wright Park and the Burger Barn. I also am aware that he had an office in his home when his mother came to reside with

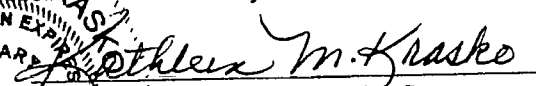
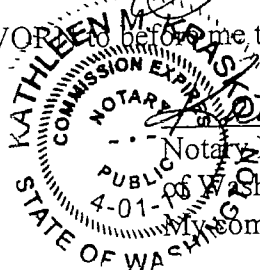
him after the loss of his father, until she passed away. His office was between the family home and the adjoining apartment.

Michael did not work out of my office, or have a key to my office until approximately 2003, perhaps 2002. I remember that date because in October 2003, my office was robbed and my first reaction was that it must have been some of Michael's criminal clients. Although he used my office address for LMI service for awhile prior to moving in, he did not have unlimited access to the office until he rented space from me in 2002/2003. Prior to that, the office was rented by Bruce Clark and then by Bill Harrington who was doing guardian ad litem work.

After we graduated, Michael basically worked on his own and I worked with other people. We kept in touch by attending the auctions and having lunches. Our families are very close and we continued our friendship. I am aware of his willingness to help everyone including the homeless and I am aware that he would hire some of the same young people that other businessmen in the area would use to help transport items to and from their purchase. He also occasionally had some men help him when he would move in furniture to his office or out of his office. Other than clients, I never saw him bring anyone to the office for any other purpose. I am also aware that he represented the owner of Silverstone on many issues, both personal and financial. I am aware that he helped him with the purchase of a comedy club in Seattle and a club, the Urban Onion, in Olympia.


COLLEEN ALLEN GRADY

SUBSCRIBED AND SWORN to before me this 4th day of February, 2009.


Kathleen M. Krasko
Notary Public in and for the State
of Washington, residing at University Place.
My commission expires: 04/01/10


ATTACHMENT "E"

1
2
3
4
5
6 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
7 IN AND FOR THE COUNTY OF PIERCE

8 STATE OF WASHINGTON

NO. 09-1-01051-1

9 Plaintiff,

10 vs.

DECLARATION OF DOUGLAS
SULKOSKY

11 MICHAEL ANDREW HECHT

12 Defendant.

13 I, Douglas Sulkosky, hereby declare as follows:

14 That in 1996 Michael Hecht shared office space with me at 5631 Tacoma Mall
15 Boulevard, Tacoma Washington. Also sharing office space was Nagle and Associates, an
16 appraisal firm. The appraisal firm employed approximately 5 to 10 people who were in and out
17 of the office all day.

18 Mr. Hecht and I shared a secretary. Her desk was situated approximately 5 to 6 feet
19 directly across from the door to Mr. Hecht's office. My office was next to Mr. Hecht's office.
20 The chairs for clients who were waiting to see the attorneys were situated along the wall right
21 outside Mr. Hecht's office. Due to the way the walls were constructed, you could hear voices
22 through the walls. There was no insulation or baffles to deaden the noise.

23 At 9:30am on any given day our secretary would have been in the office, the appraiser's
24 secretary would have been in the office and at least three or four other people. It is
25

26 DECLARATION OF DOUGLAS SULKOSKY
27 Page 1 of 2

LAW OFFICES OF
DOUGLAS D. SULKOSKY
535 East Dock Street, Suite 100
Tacoma, WA 98402
Tacoma: (253) 383-5346
Seattle: (253) 838-9088
Facsimile: (253) 572-6662

1 inconceivable that Mr. Hecht would do anything inappropriate to anyone at this time.

2 I was very familiar with the items Mr. Hecht had on the walls in his office. He never had
3 a picture of his family on the wall.

4 I declare under the penalty of perjury under the laws of the State of Washington that the
5 foregoing is true and correct.

6 SIGNED at Tacoma, Washington, this 10th day of April, 2009.

7
8 
9 DOUGLAS D. SULKOSKY, WSBA #7855
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTACHMENT "F"

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE

STATE OF WASHINGTON,
Plaintiff,

vs.

MICHAEL ANDREW HECHT,
Defendant.

NO. 09-1-01051-1

DECLARATION OF CLARE WEST

CLARE WEST, who is over the age of 18 years, hereby makes the following declaration in the above-entitled matter:

That in October of 1996, I worked in the law office of Douglas Sulkosky and Michael Hecht at 56th Street and Tacoma Mall Blvd, in Tacoma. My desk was in the central reception area and the entrance to Michael's office was directly across from my desk – less than six feet away. Michael seldom closed the door to his office, even when he was interviewing clients. On the rare occasions that he did close the door, (usually at the request of a client), I was always able to hear normal conversations from his office, as the interior doors and walls were thin and my desk was so close.

I was in Michael's office countless times, and never saw any photos/portraits of him and/or his family on the walls.

The procedure when I would type a letter for Michael is that he would hand write the letter, give it to me, and I would type it and return it to him for signature. Since Michael's handwriting is not very legible, there would be several times in each letter, that I would have to go in and ask him what he wrote. The suggestion that he would have been doing anything inappropriate at that time is ludicrous. At 9:30 a.m., there would have been two other attorneys and their clients would be sitting in the waiting area that were chairs along the wall to the right and left of Michael's office door, not more than six inches from the edges of the door.

Also, If I knew a client was waiting, I typed the document and brought it to Michael immediately for signature and copies.

I declare under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge.

DATED this 10th day of April, 2009 at Olympia, Washington.

Clare Tate West
CLARE WEST

ATTACHMENT "G"

1
2
3
4
5
6
7
8 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE

9 STATE OF WASHINGTON,
10
11 Plaintiff,

12 vs.

13 MICHAEL ANDREW HECHT,
14 Defendant.

NO. 09-1-01051-1

DECLARATION OF
WILLIAM HARRINGTON

15 WILLIAM HARRINGTON who is over the age of 18 years, hereby makes the following
16 declaration in the above-entitled matter:
17

18 I am a friend of Colleen Grady and met Michael Hecht in the late 1980's when I met
19 Colleen Grady. I am aware of both Colleen's and Michael's respective practices and where
20 they were located since they both graduated from UPS School of Law.

21 During the relevant time period, Colleen owned an office at 3643 North Pearl St. I was
22 there on a regular basis and was aware of who moved in and out. The first person to rent the
23 back office was Bruce Clark. He was a new attorney and had his office in the back until he
24

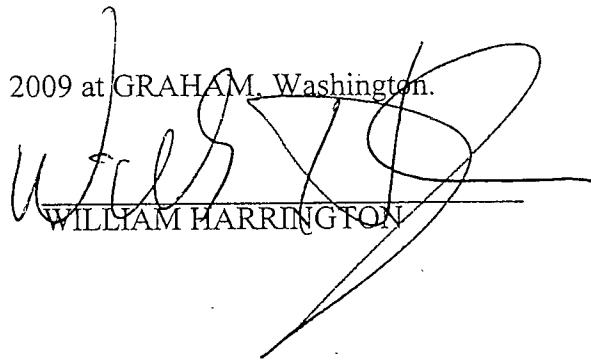
25 Law Office of
26 **Colleen Allen Grady**
3643 North Pearl Street
Tacoma, Washington 98407
27 Telephone (253) 761-0116
28 Fax (253) 761-0113

1 purchased an adjacent building and moved out in about August 1999. After that, the back
2 office, which is very small, was used for storage of office furniture and boxes of files and was
3 not used as an office until 2002, at which time, I assisted in clearing out the office of Colleen's
4 clients' boxes and stored furniture and made it an office for myself while I worked as a GAL. I
5 moved in on approximately June 2002 and moved out in approximately 2005. In the last year
6 that I was in that office, Michael would occasionally use the office to work with a client. When
7 I moved out, Michael moved into that office and did GAL work together with his law practice.
8 At that time, he had several individuals help him move in his office furniture.

9 I am also aware of the configuration and remodeling of the office throughout the entire
10 time that it has been owned by Colleen and would be able to testify about the timeline of the
11 changes to the building.

12 I swear under the penalty of perjury of the laws of the State of Washington that the
13 foregoing statements are true and correct.

14 DATED this 14TH day of APRIL, 2009 at GRAHAM, Washington.

15
16 
17
18
19
20
21
22
23
24
25
26
27
28

WILLIAM HARRINGTON

Law Office of
Colleen Allen Grady
3643 North Pearl Street
Tacoma, Washington 98407
Telephone (253) 761-0116
Fax (253) 761-0113

ATTACHMENT "H"

DECLARATION OF DONALD N. POWELL

I make this sworn declaration to document pertinent information about The Honorable Michael Hecht.

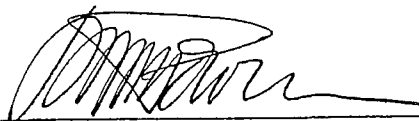
Judge Hecht (then a lawyer) called me in September, 1999 to consider associating with him as co-counsel in commercial litigation concerning his client All-In-One Pawnbrokers, Inc.. After that initial phone call from him, we conferred at my office, 1457 South Union, Tacoma, Washington, about a week before October 4, 1999. My office staff prepared an index of documents on that date, indexing documents Judge Hecht had brought with him to the meeting. We next met with the client at the client's business location at South 72nd and Pacific Avenue, Tacoma. At that meeting I did become co-counsel. I prepared my written fee agreement for the signature of Mr. Pollack, the officer of the corporate client, on October 6, 1999. The litigation was a consolidated case under Pierce County Superior Court cause number 92-2-13480-7.

We had many meetings with the client at the client's place of business and several at my office. Judge Hecht did not maintain an office location to the best of my knowledge. I believe he was working out of his home at the time. We never had a meeting at his home. The meetings were either at my office, the client's store, opposing counsels' office or the Courthouse. After a lengthy trial, the case was resolved by a settlement and I closed my file in 2002. I do not have adequate records to definitively say when Judge Hecht obtained an office on North Pearl in Tacoma.

Judge Hecht was always honest, respectful, thoughtful, diligent and prepared. We spent many hours together and I never witnessed even a suggestion of anything

other than the highest ethical and moral standards in his statements or actions. We did share meals and some social time throughout our work on this matter and at other times throughout our careers. I have known him for about twenty years through mutual friends and acquaintances and by direct contact in many different settings. I have known him to be caring, thoughtful and generous. I find the allegations that have been published against him to be incredible.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON TO BE TRUE AND CORRECT. Signed at Tacoma, Washington this 23rd day of January, 2009.



Donald N. Powell
818 South Yakima Avenue, Suite 100
Tacoma, WA 98405
253.274.1001 office
253.307.5072 cell
253.383.6029 fax
TacLaw@harbornet.com

ATTACHMENT "I"

January 19, 2009

Eric Pollack
8638 Pacific Ave #1
Tacoma, WA 98444

To Whom It May Concern:

I met Michael Hecht approximately October 1998. He became my lawyer on a lawsuit filed November 1998 to about February 2001. He did not have an office and just left the one he was in. He was working out of his house. During the lawsuit, he would come to my place of business or I would go to his house. When the case was on its way 2000, I also hired Don Powell to help with the case and the paper work. From there on I would meet with Michael Hecht at Don Powell office or at my place of business. He still has no office at the end of the case in March 2001. If you have any questions about this matter, you can reach me at 253-471-9904.

Sincerely,

A handwritten signature in cursive script that reads "Eric Pollack". The signature is written in dark ink and is positioned above the printed name.

Eric Pollack

ATTACHMENT "J"

ORIGINAL

DECLARATION OF WILLIAM ANTHONY MINGEE

I, William Anthony Mingee, state as follows:

I am over the age of twenty-one and competent to be a witness herein.

I have information pertinent to this investigation based on my contacts with "Joey", an individual I have known for approximately 3 years, in doing drugs down in the downtown area of Tacoma. I believe his last name is Hesketh.

I also know Michael Hecht and have known him for approximately 2 to 2 1/2 years, having met him through Patrick Graham. I have seen him throughout the last couple of years in the Antique District, and have done odd jobs for him, including putting out signs for his campaign for Judge. He paid me for my work. At no time have I had any sexual contact with Michael Hecht; nor has he ever requested to have sexual contact with me.

In the fall of this year I was approached by Joey at the Nativity House, at which time he indicated to me that there was a private investigator doing an investigation of Michael Hecht. At that time he asked me if I had, "gone with him, right?" I said, "yes", in the context of doing odd jobs mentioned above. That is what I meant when I had gone with him. At that time, when I said that I had, he indicated, "well then, you should speak to this private investigator because there is multimillion dollar lawsuit that might be going on." I told him I was not interested, and told him to leave.

DECLARATION OF WILLIAM ANTHONY
MINGEE - 1

SMH\H\HECHT.MIC\WILLIAM ANTHONY MINGEE

HESTER LAW GROUP, INC., P.S.
1008 SOUTH YAKIMA AVENUE, SUITE 302
TACOMA, WASHINGTON 98405
(253) 272-2157

1 I have not had any contact with him since that time, however, I have heard
2 through the grapevine that there is an "Eddie" that is involved with Joey, and Joey had
3 helped him set up an appointment with this private investigator. I also heard through the
4 grapevine that Joey has since said all this was made up and that he is too far into it to
5 back out.

6 I certify under penalty of perjury under the laws of the State of Washington that
7 the foregoing is true and correct to the best of my knowledge and information.
8
9

10 William Anthony Mingee
11 William Anthony Mingee
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ATTACHMENT "K"


Print Images

U.S. Bank Confidential Communication



Requested by: Janette Sievin

This check image contains confidential information. If you print this image, please store it in a secure place to avoid unauthorized usage of this information. Increased security awareness when discarding or destroying this document is recommended.

Item #1	Check No.: 5373	Sequence No.: 003636620564
Account No.: 153590395940	Routing No.: 12500010	Date: 11/21/2005
Amount: \$1220.00		
Front:	<div style="display: flex; justify-content: space-between;"> <div>  <p>COLLEEN ALLEN GRADY SOLE PROP. CAG PROPERTIES 3643 N PEARL STREET TACOMA, WA 98407</p> </div> <div> <p>5373</p> <p>19-10/1250 3473</p> </div> </div> <div style="margin-top: 10px;"> <p>PAY TO THE ORDER OF <u>Chris Spadafore</u> \$ <u>1,220.00</u></p> <p><u>One Thousand Two Hundred Twenty & no/100</u> DOLLARS</p> <p>FOR <u>floor replacement</u></p> <p>⑆125000105⑆ 153590395940⑆5373⑆0000122000⑆</p> </div>	

THE
LINE
Back:

12
AC
AN
FO

123446220 11212005 1336 36
S/T 092 ID 18 PKT 6
ACCT 20205361154443

3636620564

034231 041 091 11182005 >325081403<
CLNT:01 OP:NAVER0 000871 BECU PO BOX 97050
034123 08 002 205 SEATTLE, WA 98124-9750
PKT:08 95357160912941 >325081403<

ATTACHMENT "L"

1
2
3
4
5
6
7
8 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE

9
10 STATE OF WASHINGTON,

11 Plaintiff,

12 vs.

13 MICHAEL ANDREW HECHT,

14 Defendant.

NO. 09-1-01051-1

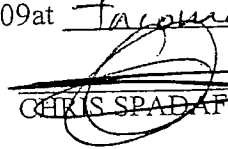
DECLARATION OF CHRIS SPADAFORE

15 CHRIS SPADAFORE who is over the age of 18 years, hereby makes the following
16 declaration in the above-entitled matter:

17 I am an architect and I have been a contractor. On or about November 15, 2005 I
18 replaced the hallway tile at 3643 North Pearl Street, Tacoma, Washington with solid oak wood
19 flooring. This hallway leads directly to the office that was Michael Hecht's office and continues
20 into the bathroom. At that time I removed the preexisting floor, which was ceramic tiles. This
21 hallway is to the right of the entryway of the building at 3643 North Pearl Street. I was paid for
22 the job by Colleen Allen Grady/CAG Properties.

23 I swear under the penalty of perjury of the laws of the State of Washington that the
24 foregoing statements are true and correct.

25 DATED this 15 day of April, 2009 at Tacoma, Washington.

26
27 
CHRIS SPADAFORE

ATTACHMENT "M"

Contacted - Ms. Katinka C. Hesketh:

KATINKA HESKETH is the biological mother of JOSEPH. On 12/31/08, I met with her at her home in South Tacoma. My visit to her was unannounced however she said she knew the police were trying to locate her son. She said she has a broken down van on her property and JOSEPH and his boyfriend, MICHAEL, will often spend the night in the van to get out of the cold. She said he's not allowed in her home because of his involvement with drugs.

K. HESKETH said JJ (ex-husband) called her recently to say that a TPD Detective wanted to meet with JOSEPH.

At Christmas, she asked JOSEPH about it and he told her that people were asking him questions about a time when he prostituted himself with a Judge named HECHT (she used the name without my using it). He told her that he had sex with the Judge for money when he was younger.

K. HESKETH said her son was engaged in prostitution when he was a teenager. At the age of 17, he left the streets in Tacoma and moved to Baltimore. He was there for 2 or 3 years and had a boyfriend there who was murdered. About 3 or 4 years ago, her son returned to Tacoma and has been living on the street since.

K. HESKETH said that her son didn't give her anymore details about the sex with HECHT other than to say it was when he was younger before moving to Baltimore. She said that she heard HECHT had threatened her son.

K. HESKETH said her son's boyfriend, MICHAEL MUNDORFF, told her that he and JOSEPH were in an alley downtown when HECHT came at JOSEPH in a car. He told her that HECHT had a young guy named JOE in the car who is a prostitute from downtown.

MICHAEL said HECHT told JOSEPH, "You better not say a fucking thing. You better not open your mouth".

K. HESKETH said MICHAEL told her this about 3 weeks ago. Both MICHAEL and JOSEPH had come by her house and after JOSEPH left, MICHAEL told her about it. MICHAEL told her that JOSEPH was worried about it. She hasn't asked her son about it.

K. HESKETH said her son had been in the van overnight and left about one hour prior to my arrival at her home.

R/D:

On 12/31/08, I patrolled the area around the Nativity House and Rescue Mission looking for HESKETH. His mother said she believed he was headed to one of the two places for a meal. In the early afternoon, I saw JOSEPH walking into the Nativity House and approached him.

Contacted - JOSEPH HESKETH:

JOSEPH said he knew I was looking for him because his dad had talked to him about it. I asked him to accompany me to the police station to talk and he said he didn't want to leave the area as he was waiting for his boyfriend, MICHAEL. He agreed to sit in my unmarked police car to talk with me.

ATTACHMENT "N"

1 DECLARATION OF JOSEPH ROBERT PFEIFFER

2
3 I, Joseph R. Pfeiffer, state as follows:

4 I am over the age of eighteen and competent to be a witness herein.

5 I am making this declaration based on my knowledge of the facts surrounding the
6 allegations made by Joseph Hesketh.

7 I met Joseph Hesketh on the streets of Tacoma, having met him in approximately
8 2006, when he "turned me on to drugs", in particular crack cocaine. Throughout the
9 years I have purchased drugs from him and have had contact with him in downtown
10 Tacoma.

11 I have also known Michael Hecht for a couple of years, who at times has given
12 me clothes and food to eat, and also advised me on job opportunities.

13 In the fall of 2008, I became aware of accusations being made against Michael
14 Hecht. At the time Michael was driving downtown, he pulled up along side me and
15 asked me why I was making things up about him. I told him that I wasn't. At that time I
16 thought it was the other Joe, meaning Joe Hesketh.

17 I got into Michael's car, and we found Joseph Hesketh, and pulled up along side
18 him, and Michael said to him, "quit talking crap about me." He did not threaten Joseph
19 Hesketh in any way, and did not make any other statement. When Mike made that
20 statement, Joseph Hesketh's response was, "I don't even know you." That was the end of
21 the interaction.
22

23 ***

24 ***
25

1 I was interviewed by the detectives, and I was not asked anything about Joseph
2 Hesketh, so I did not tell them about the above incident.

3 I certify under penalty of perjury under the laws of the State of Washington that
4 the foregoing is true and correct to the best of my knowledge and information.
5

6
7 
8 Joseph R. Pfeiffer
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ATTACHMENT "O"

1

2

3

AFFIDAVIT OF GLEN RIPPLE

STATE OF WASHINGTON)

: SS.

7

GLEN RIPPLE, being first duly sworn, on oath, deposes and says:

9 My name is Glen Ripple, I am over the age of 18 year and competent to be a
10 witness herein.

10 | witness herein.

11 I currently am a partner in an antique store located at 712 Broadway, formally
12 known as the Ramport. I own this along with Larry Williams, and Mr. and Mrs.
13 Schindley. We have been in this location at 712 Broadway since June of 2008.

12 known as the Ramport. I own this along with Larry Williams, and Mr. and Mrs.

¹³ Schindley. We have been in this location at 712 Broadway since June of 2008.

I have known Michael Hecht for approximately 20 years, having gotten to know him when he was an upholsterer at Larry Williams' antique store located at Pacific Avenue, known as the Historic Art Northwest.

15 him when he was an upholsterer at Larry Williams' antique store located at Pacific

16 Avenue, known as the Historic Art Northwest.

Over the last 20 years, Michael Hecht has been my business attorney, helping me out with business matters in the antique business. While I consider him a friend as well, I have never been to his house; nor has he been to mine. We have kept in contact over the years, when he would visit the antique shops, and again as my attorney.

18 out with business matters in the antique business. While I consider him a friend as well, I

19 have never been to his house; nor has he been to mine. We have kept in contact over the

20 years, when he would visit the antique shops, and again as my attorney.

21 When I moved my store from Lakewood to the downtown area in June of 2008, I

22 did see Mike more often, and during the time period he had told me about some

23 | accusations that Joseph Hesketh was making, specifically that Mike was a pedophile.

24 During this period, I had Hesketh, who hangs out in the downtown area, do some odd

25

1 jobs for me when he would come in and ask for work. Specifically, at one time I had him
2 clean the bathroom, and at other times he helped me load and unload antiques for a
3 couple of different antique shows, the last one being in the town of Packwood after Labor
4 Day weekend.

5 During the course of his work, I talked to him about Michael Hecht, at which time
6 he had said that Michael was a terrible person. This occurred some time in late July or
7 August, during the course of our conversations. After not saying why he was terrible, he
8 indicated that the only time he had met Hecht was when Hecht had told him that he
9 wanted to talk to him after these accusations had been made. He implicitly suggested that
10 nothing had ever happened to him.

11 Further, I had Joe Hesketh over to my house on one occasion for drinks, at which
12 time he indicated that there were people wanting to bring Hecht down, and that they were
13 after him. He also said "they said" he could make some money as part of this. I kept
14 asking him for names during the evening, but he would not give me any names as to who
15 was attempting to "bring Hecht down". The last time I saw Hesketh was immediately
16 after Labor Day weekend when he had again helped me pack and unpack some antiques
17 for a show that occurred in Packwood Washington.

18 ***

19 ***

20 ***

21 ***

22 ***

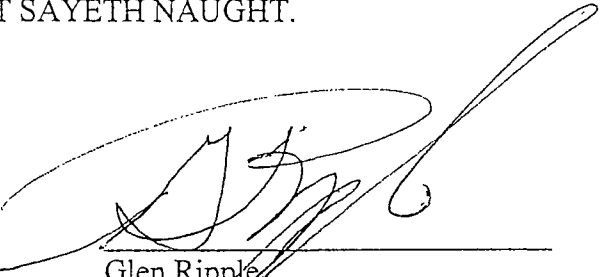
23 ***

24 ***

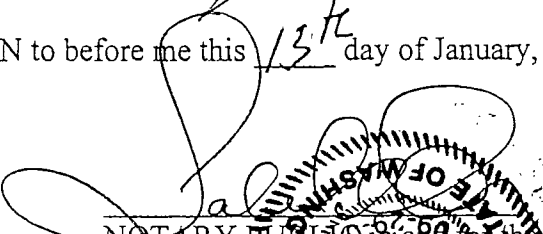
1 I have not been contacted during the course of this investigation by either the
2 Police or the Tacoma News Tribune.

3 The above is true and accurate to the best of my knowledge.

4 FURTHER YOUR AFFIANT SAYETH NAUGHT.

5
6
7
8 
Glen Ripple

9 SUBSCRIBED AND SWORN to before me this 13th day of January, 2009.

10
11 
12 NOTARY PUBLIC for the State of
13 Washington, residing at Tacoma. My
14 commission expires: 9/1/2011
15
16
17
18
19
20
21
22
23
24
25

ATTACHMENT "P"

AFFIDAVIT OF BETHINA GOLDEN

STATE OF WASHINGTON)

County of Pierce) SS.

BETHINA (B-) GOLDEN, being first duly sworn, on oath, deposes and says:

I am 52 years old and competent to be a witness herein.

I am a social worker supervisor for the Department of Social and Health Services in Tacoma, Washington. I have known Michael Hecht for approximately 9 years, having met him when my mother passed away. I needed a probate attorney and contacted Michael Hecht. After contacting him in relation to the probate, we became friends based on our commonality of interests and our religious background.

Through my occupation and my interests I frequent the downtown area, and have developed a rapport with numerous individuals who are young and homeless throughout the downtown. I also, through my interests and friendship with Michael, know he has been downtown (I have been down there with him) when he, as well as I, have provided jackets and other clothing, as well as money to individuals for meals.

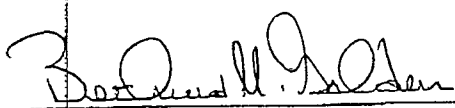
After Michael was elected as a Pierce County Superior Court Judge, he called me and told me he found out that there was, what he believed to be related to the Armijo campaign, some individuals making some comments alleging criminal activity. He was devastated, and we talked about the situation. He was made aware (and told me) that a

1 person named Joe Hesketh apparently told Morgan Armijo that Michael had engaged in
2 sexual contact with him.

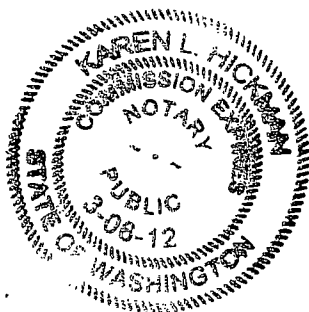
3 Throughout my ventures downtown, I have become acquainted with a couple of
4 individuals by the name of "Joey". One has dark hair and one has blonde hair. I talked
5 with dark haired Joey, who is under the age of 21, and he indicated that in his contacts
6 with Michael, he has never made any sexual advance towards him, or said anything
7 sexual in nature. He also indicated that he had spoke to "blonde haired Joey". These
8 accusations began to become common knowledge, and "blonde haired Joey" had
9 indicated that he did not even know Michael Hecht. I subsequently had contact with
10 blonde haired Joey, who also told me he did not know Michael Hecht. I am also aware
11 that blonde haired Joey is currently living with a boyfriend, who I believe to be in his
12 40's. It is my understanding that "blonde-haired Joey" is Joseph Hesketh.

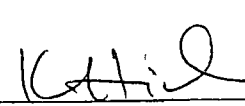
13
14 The above is true and accurate to the best of my knowledge.

15 FURTHER YOUR AFFIANT SAYETH NAUGHT.

16
17
18 
Bethina (B-) Golden

19 SUBSCRIBED AND SWORN to before me this 15th day of January, 2009.



26
27
28 
NOTARY PUBLIC in and for the State of
Washington, residing at Tacoma. My
commission expires: 3/6/12.

ATTACHMENT "Q"

1
2
3
4
5
6
7
8 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
9 IN AND FOR THE COUNTY OF PIERCE

10 STATE OF WASHINGTON,

11 Plaintiff,

12 vs.

13 MICHAEL ANDREW HECHT,

14 Defendant.

NO. 09-1-01051-1

DECLARATION OF NATHAN DURAN

15 NATHAN DURAN who is over the age of 18 years, hereby makes the following
16 declaration in the above-entitled matter:

17 I have known Michael Hecht since June of 2008. I worked on his campaign for Judge in
18 Pierce County. He would pick me up at the "Winthrop" on Commerce or the "Mini-Mart" on the
19 corner of 9th and Commerce or at the "Park" on the corner of 9th and Commerce. Michael Hecht
20 picked me up to work for his campaign approximately ten to fifteen times. He would also drop
21 me back at these same locations. I was paid daily for working on his campaign. Some of the
22 times when he picked me up his son was also with him. At other times I had my friend, BRIAN
23 FREY, also work with me for Michael Hecht on his campaign. The back of Michael Hecht's car
24 would be filled with "Elect Hecht" signs. I never saw any "Armijo" signs in Michael Hecht's
25 car.
26
27
28

DECLARATION OF
NATHAN DURAN - 1

ND

1 I swear under the penalty of perjury of the laws of the State of Washington that the
2 foregoing statements are true and correct.

3 DATED this 14 day of April, 2009 at Tacoma, Washington.

4 Nathan Duran
5 NATHAN DURAN
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTACHMENT "R"

04-97 11:07a
Free: 16,965,632

Directory C:\WP50\MICHAEL*.*

Current	<Dir>	Parent	<Dir>
ADDRESS .	<Dir> 05-20-94 11:34a	ALDEN .	<Dir> 10-26-93 01:51p
BACHMANN .	<Dir> 12-07-92 04:53p	BACON .	<Dir> 10-10-94 04:10p
BENSON .	<Dir> 06-16-93 10:48a	BRADLEY .	<Dir> 06-06-96 08:21a
CAR .	<Dir> 03-15-95 04:14p	CORNFORT .	<Dir> 10-10-96 09:41a
CRIMINAL .	<Dir> 11-29-93 11:54a	CRUZ .	<Dir> 05-18-94 02:11p
DAVID .	<Dir> 11-19-96 10:19a	DELGADO .	<Dir> 03-11-93 11:42a
DIXON .	<Dir> 02-14-95 10:33a	DORIE .	<Dir> 09-13-94 01:18p
EARLY .	<Dir> 07-02-96 09:42a	EHLI .	<Dir> 11-13-95 01:29p
EUROPEAN .	<Dir> 12-27-94 04:29p	FINGER .	<Dir> 05-24-95 02:49p
FISCHER .	<Dir> 10-11-93 02:38p	FLOWERS .	<Dir> 12-07-92 11:32a
FOLDVICK .	<Dir> 10-12-93 04:21p	FORMS .	<Dir> 08-27-92 10:30a
FOUST .	<Dir> 07-05-94 09:17a	GORSUCH .	<Dir> 05-26-93 01:57p
GREER .	<Dir> 12-07-92 12:24p	GREINER .	<Dir> 04-06-93 03:36p
HAMILTON .	<Dir> 07-20-94 02:11p	HART .	<Dir> 12-06-93 05:16p
HENRY .	<Dir> 10-29-93 02:21p	HOLT .	<Dir> 10-12-93 02:07p
HOUSE .	<Dir> 08-12-94 12:04p	HOWELL .	<Dir> 03-08-96 01:39p
HUANTE .	<Dir> 12-09-93 04:24p	INSURANC .	<Dir> 02-27-97 12:37p
JOBS .	<Dir> 10-04-94 01:13p	JOHNSON .	<Dir> 11-12-96 11:08a
JOLLEY .	<Dir> 03-24-94 12:00p	JORDAN .	<Dir> 04-04-94 11:20a
JOSEPH .	<Dir> 03-04-93 04:45p	JOYAL .	<Dir> 11-19-92 10:22a
KARIN .	<Dir> 01-17-95 02:33p	KELLEY .	<Dir> 05-13-93 02:44p
KNEPPER .	<Dir> 12-09-92 04:38p	KNUTSON .	<Dir> 03-31-93 02:41p
JOBS .DIS	<Dir> 08-13-92 08:33a	LANDEN .	<Dir> 12-08-93 04:12p
LANTZ .	<Dir> 01-31-96 11:26a	LEASE .	<Dir> 10-12-92 11:18a
LEE .	<Dir> 09-27-96 03:14p	LERMA .	<Dir> 05-26-93 02:18p
LETTERS .	<Dir> 07-10-92 08:33a	LINDELL .	<Dir> 08-26-96 11:11a
LITKE .	<Dir> 02-28-95 05:21p	LITOWITZ .	<Dir> 05-02-97 09:54a
LONG .	<Dir> 03-27-95 11:45a	LONG .L&I	<Dir> 03-17-93 10:28a
LONG .PAT	<Dir> 12-29-92 10:46a	MARIE .	<Dir> 04-10-96 01:48p
MARLOW .	<Dir> 11-01-93 10:14a	MELMOTH .	<Dir> 12-15-94 11:19a
MENDENHA .	<Dir> 05-10-96 12:26p	MITCHELL .	<Dir> 07-15-93 09:35a
MUNKIRS .	<Dir> 02-07-94 03:11p	MYRICK .	<Dir> 02-15-96 12:06p
NAGLE .	<Dir> 04-25-94 03:59p	NELSON .	<Dir> 03-17-93 10:35a
NEVILLE .	<Dir> 10-01-92 12:39p	NEW .	<Dir> 03-31-97 10:17a
NORTON .	<Dir> 01-17-96 05:57p	PARENTS .	<Dir> 04-09-96 03:41p
PEAHI .	<Dir> 03-23-95 11:07a	PERKINS .	<Dir> 12-02-93 12:19p
RABOTEAU .	<Dir> 03-11-96 11:39a	REPERT .	<Dir> 04-06-97 11:10a
ROUSE .	<Dir> 01-26-94 02:42p	SCHAFFER .	<Dir> 05-24-95 02:10p
SHAFFER .	<Dir> 03-02-94 01:22p	SHAFFER .2	<Dir> 11-07-94 02:20p
SIMMONS .	<Dir> 11-02-92 01:59p	SMITH .	<Dir> 03-30-93 04:14p
SMITH .2	<Dir> 09-02-94 03:06p	SORORITY .	<Dir> 01-11-93 10:42a
SPADAFOR .	<Dir> 11-21-95 04:42p	STALHEIM .	<Dir> 06-13-95 01:47p
STONE .	<Dir> 03-31-97 12:05p	STONE .P	<Dir> 04-06-97 12:24p
STORE .	<Dir> 04-27-93 03:48p	STREET .	<Dir> 04-01-94 11:14a
SUZANNE .	<Dir> 11-22-96 12:06p	TONY .	<Dir> 04-18-94 11:15a
USBANK .	<Dir> 11-04-96 03:17p	VITALE .	<Dir> 09-24-96 02:35p
WALSTON .	<Dir> 11-28-94 02:57p	WARREN .	<Dir> 06-14-96 10:09a
WERNER .	<Dir> 01-21-94 09:59a	WILSON .	<Dir> 02-06-95 05:33p
WATHROW .	<Dir> 02-05-96 04:06p	WOODEN .	<Dir> 01-04-94 04:10p
FAXES .	1,417 03-19-93 02:40p	MICHAEL .AFF	2,709 04-21-93 09:55a

ATTACHMENT "S"

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 been in times of need, which have occurred on a regular basis over the years. At no time
2 did he or I exchange money for sex.

3 I still state that I had sex with Michael Hecht, but again that was not in the context
4 of the exchange of money. The reason I told the detectives that was because I felt
5 pressured into giving them statements that helped their case. It was also told to me
6 before we went on tape that the officers would "put in a good word" for me with my
7 corrections officer.

8 After reading the newspaper article, I had told Glen Ripple that the above was not
9 true and that there was never money given in exchange for sex, and he indicated at that
10 time that I needed to tell Michael's attorney. I contacted his attorney on Monday, March
11 16, 2009, and told him of this situation. He asked me to come into his office, which I
12 have done, to sign this declaration.

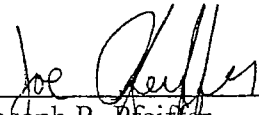
13 I should also say that during my incarceration I was contacted by a couple of
14 people from the Judicial Conduct Commission, one of whom was a woman. I cannot
15 recall at this time what I told them, but I was asked if I wanted a book of some sort from
16 the Judicial Conduct Commission, and I declined.

17 I also gave a statement to the Tacoma News Tribune reporter while I was
18 incarcerated. Throughout this time I felt pressured into saying things about Michael,
19 which I now regret saying.

20 I reiterate what I said in my previous declaration, which was that there was never
21 any threats made to Joe Hesketh, and I reiterate now that I never had sex in exchange for
22 money with Micheal Hecht.
23
24
25

1 I certify under penalty of perjury under the laws of the State of Washington that
2 the foregoing is true and correct to the best of my knowledge and information.

3 FURTHER YOUR AFFIANT SAYETH NAUGHT.
4

5 
6 Joseph R. Pfeiffer

7 SUBSCRIBED AND SWORN to before me this 16th day of March, 2009.

8 
9 NOTARY PUBLIC in and for the State of
10 Washington, residing at 
11 commission expires 08-19-09



D

23



ORIGINAL

AUG 27 2009

FILED
IN COUNTY CLERK'S OFFICE

A.M. AUG 27 2009 P.M.

PIERCE COUNTY, WASHINGTON
KEVIN STOCK, County Clerk
BY DEPUTY

FILED
IN COUNTY CLERK'S OFFICE

A.M. OCT - 6 2009 P.M.

PIERCE COUNTY, WASHINGTON
KEVIN STOCK, County Clerk
BY DEPUTY

SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,	Plaintiff,	CAUSE NO. 09-1-01051-1
vs.		
MICHAEL ANDREW HECHT,	Defendant.	BENCH WARRANT - MATERIAL WITNESS EDWARD DEAN SMITH

WITNESS ADDRESS: UNKNOWN (TRANSIENT), last known address 2304 Jefferson Ave., Tacoma, WA 98405

TO ALL PEACE OFFICERS IN THE STATE OF WASHINGTON, GREETINGS:

WHEREAS, an order of court has been entered directing the Clerk of the above entitled court to issue a warrant for the arrest of the above named Material Witness EDWARD DEAN SMITH

SEX MALE; RACE WHITE; EYES BLUE; WEIGHT 150; HEIGHT 5'10"; DATE OF BIRTH 7/6/1969; POLICE AGENCY-TACOMA POLICE; DATE OF VIOLATION 8/27/09; POLICE AGENCY CASE NO 08-330-0302

You are hereby commanded to forthwith arrest the said EDWARD DEAN SMITH, to be held has a material witness as ordered by the court and bring said material witness into court to be dealt with according to law. BAIL IS TO BE SET IN OPEN COURT.

WITNESS THE HONORABLE JAMES CAYCE
Judge of the said court and seal thereof affixed
This 27 day of August, 2009.

KEVIN STOCK
Clerk of the Superior Court

By [Signature]
Deputy

This is to certify that I received the within bench warrant on the 5 day of OCT 2009, and by virtue thereof on the 05 day of October 2009, I arrested the within named witness, and now have said material witness in full custody.

Det. Quilio 02928 TPD
PEACE OFFICER

Extradition: ☒ Shuttle States Only ☐ Nationwide Warrant Service Fee \$15/Return Fee \$5/Mileage \$ /TOTAL \$

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

STATE OF WASHINGTON
PIERCE COUNTY SUPERIOR COURT

THE STATE OF WASHINGTON,

Plaintiff,

v.

MICHAEL ANDREW HECHT,

Defendant.

NO. 09-1-01051-1

NOTICE OF VIDEOTAPED
DEPOSITION OF JOSEPH HESKETH
IV

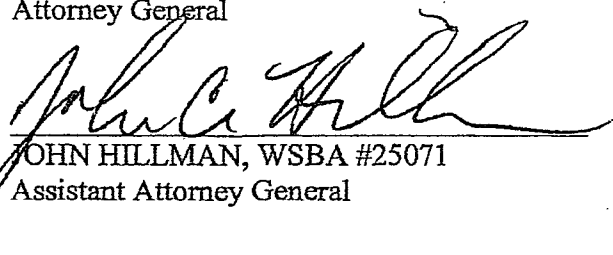
TO: Michael Andrew Hecht, Defendant; and

TO: Wayne Fricke, Counsel for the Defendant

Please take notice that the testimony of Joseph Hesketh IV is to be taken on oral examination and by videotaping before a notary public or court reporter, or some other official authorized by law to administer oaths, at the Attorney General's Office, located at 800 Fifth Avenue, Suite 2000, Seattle, Washington, on **October 1, 2009, at 10:00 a.m.** Joseph Hesketh is homeless and does not have an address. This oral examination is subject to continuance or adjournment from time to time or place to place until completed.

DATED this 23rd day of September, 2009.

ROBERT M. MCKENNA
Attorney General


JOHN HILLMAN, WSBA #25071
Assistant Attorney General

NOTICE OF VIDEOTAPED
DEPOSITION OF JOSEPH HESKETH IV



09-1-01051-1 32901894 ORC 09-25-09



STATE OF WASHINGTON
PIERCE COUNTY SUPERIOR COURT

THE STATE OF WASHINGTON,

Plaintiff,

NO. 09-1-01051-1

v.

MOTION AND ORDER
COMPELLING WITNESS JOSEPH
ROBERT PFEIFFER TO TESTIFY
WITH A GRANT OF IMMUNITY

MICHAEL ANDREW HECHT,

Defendant.

I. MOTION

COMES NOW Robert M. McKenna, Attorney General of Washington, by and through his assistant, John Hillman, and moves the court for an order compelling witness Joseph Robert Pfeiffer to testify concerning acts of prostitution that may have occurred in Pierce County, Washington, between September 21, 2008, and January 14, 2009.

Prostitution is a misdemeanor punishable by 0-90 days jail and \$0-\$1000 fine. RCW 9A.88.030(3); 9A.20.021(3). The statute of limitations for prostitution is one year, i.e., no acts of prostitution may be prosecuted more than one year after the act of prostitution. RCW 9A.04.080(1)(j).

Defendant is accused of engaging in acts of prostitution with witness Pfeiffer on multiple occasions between April 1, 2008, and January 14, 2009. A deposition of Pfeiffer is scheduled for September 21, 2009. The State cannot prosecute any acts of prostitution that Pfeiffer may have committed ^{prior} subsequent to September 21, 2008. The State has no knowledge

MOTION AND ORDER COMPELLING
WITNESS JOSEPH ROBERT PFEIFFER

1

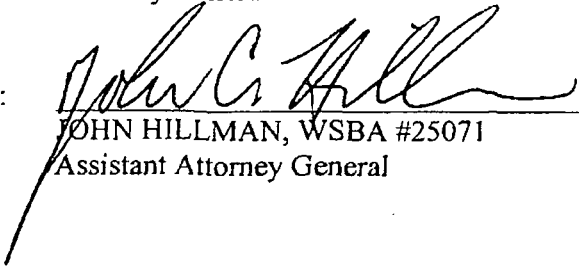
ATTORNEY GENERAL'S OFFICE
Criminal Justice Division
800 Fifth Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-6430

1 of and will not inquire about any acts of prostitution committed after January 14, 2009. In
2 order to protect witness Pfeiffer's constitutional right not to incriminate himself by testifying
3 at deposition and at trial, the State further moves the court to order that witness Pfeiffer shall
4 not be prosecuted or subjected to criminal penalty for any acts of prostitution that occurred in
5 Pierce County between September 21, 2008, and January 14, 2009. This motion is brought
6 pursuant to CrR 6.14.

7 DATED this 21st day of September, 2009.

8 ROBERT M. MCKENNA
9 Attorney General

10 By:

11 
12 JOHN HILLMAN, WSBA #25071
13 Assistant Attorney General
14
15
16
17
18
19
20
21
22
23
24
25
26

1
2 **II. ORDER**

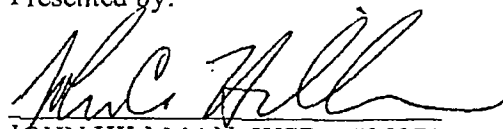
3 The court having considered the motion of the prosecutor and the files herein, and
4 being duly advised in the premises,

5 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, pursuant to CrR 6.14
6 and on condition that witness Pfeiffer testifies by deposition and/or at trial, that witness
7 Joseph Robert Pfeiffer shall not be prosecuted or subjected to criminal penalty for any acts of
8 prostitution that occurred in Pierce County between September 21, 2008, and January 14,
9 2009. It is further ORDERED that witness Pfeiffer is compelled to testify about any acts of
10 prostitution that are relevant to the above-captioned matter, subject to the Rules of Evidence
11 and other rulings of the court.

12 SO ORDERED this 21st day of September, 2009.

13
14 
JAMES CAYCE, JUDGE

15 Presented by:

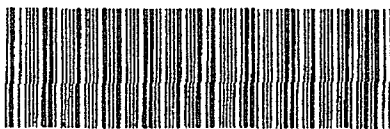
16 
17 JOHN HILLMAN, WSBA #25071

18
19 Approved for entry:

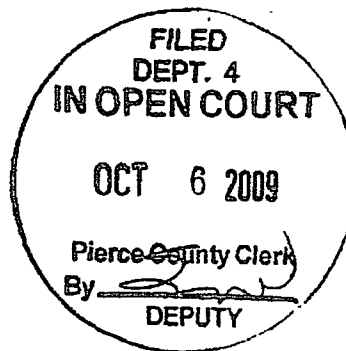
20 
21 ROBERT QUILLIAN, WSBA# 6836

22
23 
24 JOSEPH ROBERT PFEIFFER
25 Witness
26





09-1-01051-1 32969366 OR 10-07-09



STATE OF WASHINGTON
PIERCE COUNTY SUPERIOR COURT

THE STATE OF WASHINGTON,

Plaintiff,

v.

MICHAEL ANDREW HECHT,

Defendant.

NO. 09-1-01051-1

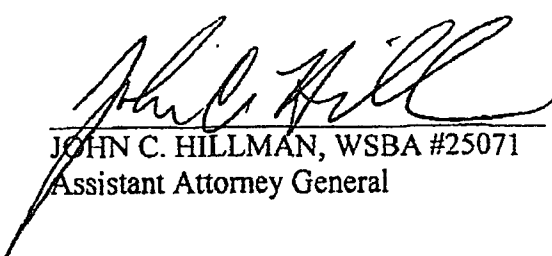
MOTION AND ORDER FOR VIDEO
DEPOSITION OF WITNESS
EDWARD SMITH

I. MOTION

COMES NOW the State of Washington, by and through its attorney Robert M. McKenna, and his assistant John Hillman, and moves the court for an order granting the preservation of testimony by deposition of witness Edward Smith. The motion is based upon the following declaration and CrR 4.6.

DATED this 6th day of October, 2009.

ROBERT M. MCKENNA
Attorney General


JOHN C. HILLMAN, WSBA #25071
Assistant Attorney General

MOTION AND ORDER FOR VIDEO
DEPOSITION OF WITNESS EDWARD
SMITH

ORIGINAL

Error! AutoText entry not defined.

II. DECLARATION

JOHN C. HILLMAN declares under penalty of perjury:

Defendant is charged with (1) Harassment, and (2) Patronizing a Prostitute. The court has ruled that the State may introduce evidence of defendant's prior history of prostitution pursuant to ER 404(b). Edward Smith will testify that he has on past occasions participated in sex acts with the defendant in exchange for a fee. Edward Smith is a material witness.

Edward Smith reports that he is homeless and has been living on the streets of Tacoma for the better part of the last 12 years. Edward Smith uses methamphetamine. Smith does not have a stable residence. Smith has no income.

From January – May 2009, police attempted to locate Smith in order to interview him about his knowledge of the defendant's past activities. Police could not locate Smith until May 13, 2009, when Tacoma Police officers happened upon Smith in the middle of the night. Smith was interviewed at 4:45 a.m. that morning in the back of a patrol car on the street. Smith gave a short taped statement and left. The State could not find Smith again to serve him with a subpoena from May 13-August 25, 2009. On August 25, 2009, with a trial date approaching in two weeks, the State moved for and was granted a material witness warrant for Smith. Police attempted to locate Smith to arrest him on the warrant from August 25-October 5, 2009, without success.

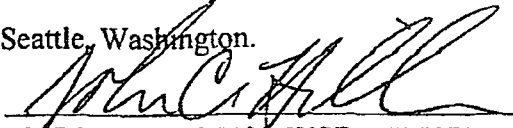
On October 5, 2009, police located Smith waiting for food at a Tacoma soup kitchen. Smith was arrested on the warrant.

Smith was never previously served with a subpoena and has never failed to appear for anything in this case, although he has also never been asked to. Smith has provided the State with a cell phone number and the address of friends he says he can stay with. Smith admits he has been using methamphetamine recently and that he lives on the streets for weeks at a time.

Trial is set for Monday, October 12, 2009, with testimony expected to commence October 14, 2009. Smith will be served with a subpoena to appear for trial prior to his release.

1 The State is concerned that if Smith is released, he will be unable to or will choose not to
 2 attend the trial due to his transient lifestyle. The State desires to preserve Smith's testimony by
 3 video deposition in the event that Smith becomes unavailable for trial.

4 DATED this 6th day of October, 2009 in Seattle, Washington.

5 
 6 JOHN C. HILLMAN, WSBA #25071

7 III. LAW AND ARGUMENT

8 CrR 4.6 authorizes the court to order the deposition of a witness if (1) the witness may
 9 be unable to attend or prevented from attending the trial, (2) the witness' testimony is material,
 10 and (3) taking the witness' testimony is necessary to avoid a failure of justice. CrR 4.6(a).

11 Here, Smith is homeless and extremely difficult to contact. The State twice has gone
 12 approximately 5 months without being able to locate or contact Smith. Smith's homelessness,
 13 indigence, drug use, and transiency are factors that together suggest that Smith will not appear
 14 for trial. Smith's testimony is highly relevant to the issues that will be presented to the jury in
 15 this case. A failure of justice would occur if the jury did not hear Smith's testimony in
 16 deciding this case. The Court should order a preservation deposition.

17 ////

18
 19 ////

20
 21 ////

22
 23 ////

24
 25 ////

IV. ORDER

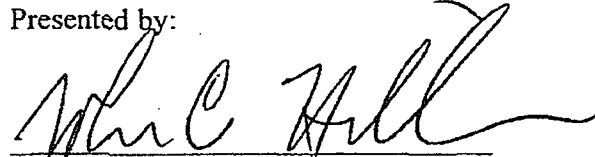
The court having considered the declaration above, the representations of counsel in court, CrR 4.6, and the files herein,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the parties, including the defendant and all counsel, shall appear for video preservation deposition of witness Edward Smith. The State shall notify opposing counsel of the date, time, and location of the video deposition as required by court rule.

DONE IN OPEN COURT this ____ day of October, 2009.

JUDGE

Presented by:



JOHN C. HILLMAN, WSBA #25071
Assistant Attorney General

Copy Received:

WAYNE C. FRICKE, WSBA #16550
Attorney for Defendant

E

1
2
3
4
5
6
7
8 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
9 IN AND FOR THE COUNTY OF PIERCE

10 STATE OF WASHINGTON,

11 Plaintiff,

12 vs.

13 MICHAEL ANDREW HECHT,

14 Defendant.

NO. 09-1-01051-1

DECLARATION OF WILLIAM ANTHONY
MINGEE

15 WILLIAM ANTHONY MINGEE, who is over the age of 18 years, hereby makes the
16 following declaration in the above-entitled matter:

17 I have information pertinent to this investigation based on my contact with Edward
18 Smith. I have known Edward Smith/Eddie for approximately four years. Around two weeks ago
19 he came to my house and I asked him what was up with his accusations about Hecht? He told
20 me that it was all lies and that he wanted to get out of it.

21 I asked him why he did it and he said that Joey Hesketh came up to him and asked if he
22 wanted to make money by saying that he had sex with Hecht at his office on Pearl Street. Jocy
23 Hesketh told him that he could be part of a lawsuit and Eddie said that he said that he would do
24 it. Eddie said that Jocy told him that he would meet him the next day at the Nativity House and a
25 Detective Graham would be there to take his statement.
26

27
28 DECLARATION OF
WILLIAM ANTHONY MINGEE - 1

68

1 Eddie told me that he went to the Nativity House but decided not to get involved and he
2 stayed away from Detective Graham at the Nativity House. Eddie told me that later he was in a
3 car in Tacoma with John T. also known as John the Baptist. They were in a car tweaking. Eddie
4 said that a police office came over to the car and caught them high. He said that when the
5 policeman ran his name, Edward Smith, the officer came back to the car and asked him if he was
6 also known as Eddie. When Eddie told the officer yes the officer said that a Detective wanted to
7 talk to him.

8 Eddie said that they called the Detective and Detective Graham showed up and put him in
9 the back of his car. He told me that Detective Graham told him that he was going to say that he
10 had sex with Hecht and if not he would be arrested. Detective Graham also told him that he
11 would give him his business card and on the back he would put that Eddie was Detective
12 Graham's witness and it would be a "get out of jail free card" by just showing the card to the
13 police and they will call Detective Graham and he will take care of it. Eddie showed me the card
14 that Detective Graham had given him with writing on the back.

15 I did read the writing on the back, it said: "Witness in Case" or something like that and I
16 saw that it was Detective Graham's card.

17 I also know that John T/John the Baptist is also known as John Marx. That was the other
18 man in the car with Eddie on Broadway.

19 I swear under the penalty of perjury of the laws of the State of Washington that the
20 foregoing statements are true and correct to the best of my knowledge and information.

21 DATED this 30 day of June, 2009 at Tacoma, Washington.

22
23 Will Minge
24 WILLIAM ANTHONY MINGEE
25
26
27

28 DECLARATION OF
WILLIAM ANTHONY MINGEE - 2

F

ORIGINAL

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF PIERCE

STATE OF WASHINGTON,

Plaintiff,

vs.

MICHAEL ANDREW HECHT,

Defendant.

NO: 09-1-01051-1

AFFIDAVIT OF
PATRICK GRAHAM

STATE OF WASHINGTON)

County of Pierce)

: ss.

PATRICK GRAHAM, being first duly sworn, on oath, deposes and says:

I am over the age of eighteen and competent to be a witness herein.

I previously provided an affidavit to Wayne Fricke as part of the investigation in this case. I now make this affidavit as a part of the criminal investigation, as well as that being conducted by the Commission for Judicial Conduct.

After Michael Hecht was charged with the offenses in the above-entitled case, and after I had read the News Tribune article about the representations attributed to me, I became upset and contacted Mr. Fricke to clarify some issues.

AFFIDAVIT OF
PATRICK GRAHAM - 1

SMH\H\HECHT.MIC\PATRICK GRAHAM AFFIDAVIT 2

HESTER LAW GROUP, INC., P.S.
1008 SOUTH YAKIMA AVENUE, SUITE 302
TACOMA, WASHINGTON 98405
(253) 272-2157

1 He has shown me a copy of the declaration for determination of probable cause
2 filed by the Attorney General in this matter. As it relates to the representations of my
3 conversation with the detective on January 2nd, I did in fact speak to the detective in this
4 matter.

5 Initially, Mr. Fricke asked me whether Michael Hecht was threatening anyone,
6 and I told him no he was not, and nor was I aware of him threatening anybody. I also
7 indicated to him that to my knowledge he was not paying to have sex with anyone. I
8 further told him that he has given me money in the past, but it was not related to setting
9 him up with prostitutes or having sex in any way.

10 During the conversation, and after I told him this, it became clear that the
11 detective was not pleased with what I was saying. He then told me that if I did not tell
12 him about Mr. Hecht and what he wanted to hear that he could arrest me right then and
13 there for obstruction of justice.

14 After that threat, I then told him what was represented in the declaration for
15 determination for probable cause. That, however, is not accurate. I only made that
16 statement because I felt threatened by the detective and that I would be going to jail if I
17 did not tell him what he wanted to hear.

18 Additionally, attached hereto is an email that I received from Adam Lynn of the
19 Tacoma News Tribune and response to that email. I brought this in to Mr. Fricke's office
20 and provided it to him for his consideration.

21 ***


22 ***

23 ***

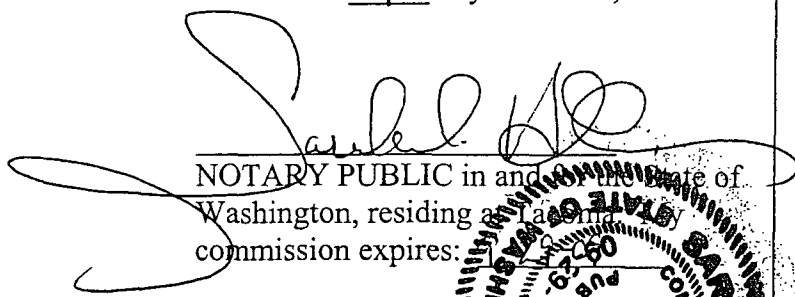
1 Again, I reiterate the comments that I made in the affidavit that I previously
2 provided to counsel for Mr. Hecht, and also what is stated above.

3 The above is true and accurate to the best of my knowledge

4 FURTHER YOUR AFFIANT SAYETH NAUGHT.
5

6
7 
8 Patrick Graham

9 SUBSCRIBED AND SWORN to before me this 4th day of March, 2009.

10
11 
12 NOTARY PUBLIC in and for the State of
13 Washington, residing at _____
14 commission expires: _____



Print

Close

RE: Michael HechtFrom: **grahampatrick69@hotmail.com**

Sent: Wed 3/04/09 9:23 AM

To: adam.lynn@thenewstribune.com

first of all im so sick and tired of all this. it has nothing but done made me sick. first of all, after michael's election, i was informed that mr. hesketh was going around downtown stating that he was planning on suing, and trying to find people who would participate in this law suit. i then was reached by phone, by someone else who claimed to be a private detective, offerd to take me out for dinners and out for drinks, and started to offer me computers, cameras, protection against hecht, and get my record exponged, if i would testify against michael, and of course i refused. i was told that the only way i would get all this, is if i would. I soon found out that after, this person was not a detective, that he works for the health department, and that he was getting paid to go around and find people to say that they did mess around with mr. hecht. I then recieved a phone call from the ex judges son asking if i would yet get involved. and i said no. (which i have phone records of all these phone calls) I then recieved a phone call from a detective which he said he had questions, and when i had been answering them, i take it he was getting irritated because i was not telling him that mr. hecht was doing such things, so he had brought it to my attention that he could (lock me up) for obstruction of justice.

I am so sick of all this that people made this a political thing, thats the truth behind all this and that people are being offerd things to get mr. hecht off the bench. police are intagonizing others about all this, and going after people on the streets that are using drugs and have criminal backgrounds. It makes me sick to see people try to get an innocent man off the bench.

I have spent many years off and on the streets, and i have been there helping out alot people by getting money in there pocket, finding them work. does that make me a bad guy?

Date: Fri, 27 Feb 2009 19:21:14 -0800

Subject: Michael Hecht

From: adam.lynn@thenewstribune.com

To: **Grahampatrick69@hotmail.com**

Mr. Graham,

My name is Adam Lynn. I work as a reporter for The News Tribune. I'm working on a story for tomorrow about charges being filed against Judge Michael Hecht. Prosecutors name you in their charging documents, saying you have introduced Judge Hecht to men you know for a \$10 fee. They also write that you run a pornography business. I wanted to let you know that your name will appear in the story and give you a chance to comment.

You can reach me at my desk (253-597-8644) until 8 tonight. My editor, Randy McCarthy, will be at his desk (253-597-8277) until 10 p.m.

Adam Lynn

Staff Writer

The News Tribune

(253) 597-8644

adam.lynn@thenewstribune.com

blogs.thenewstribune.com/crime

G

1
2
3
4
5
6
7
8 **STATE OF WASHINGTON**
 PIERCE COUNTY SUPERIOR COURT

9 THE STATE OF WASHINGTON,

10 Plaintiff,

11 v.

12 MICHAEL ANDREW HECHT,

13 Defendant.

NO. 09-1-01051-1

**DECLARATION OF COUNSEL RE:
DISCOVERY REQUEST**

14 JOHN HILLMAN declares under penalty of perjury as follows:

15 1. I am an assistant attorney general and was assigned to prosecute the above-
16 captioned matter. I represent the State in this matter and am familiar with the discovery.

17 2. On July 8, 2009, I received a letter from Mr. Fricke requesting a copy of the
18 personnel file for Tacoma Police Detective Bradley Graham. I do not have access to or
19 control over this file.

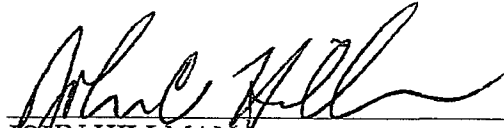
20 3. Shortly after receipt of the request I contacted Michael Smith, Deputy City
21 Attorney for the City of Tacoma and forwarded the defendant's discovery request to him. As
22 part of his duties, Mr. Smith reviews police personnel files for *Brady* material.

23 4. On July 16, 2009, Mr. Smith advised me that he had reviewed Detective
24 Graham's personnel file for *Brady* material and there was none. Mr. Smith's e-mail is
25 attached.

26 5. Shortly after receiving Mr. Smith's e-mail, I contacted defense counsel Mr.

1 Fricke and advised that Detective Graham's file was reviewed for *Brady* material and that
2 there was no *Brady* material in the file. I further advised Mr. Fricke that the State considered
3 its discovery obligations fulfilled under the relevant case law.

4 DATED this 27th day of August, 2009, at Seattle, Washington.

5
6
7 
8 JOHN HILLMAN
9 Assistant Attorney General
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Hillman, John (ATG)

From: Smith, Mike (TPD) [Mike.Smith@ci.tacoma.wa.us]
Sent: Thursday, July 16, 2009 2:53 PM
To: Hillman, John (ATG)
Cc: Meinema, Charles; Mueller, Jennifer; Graham, Bradley
Subject: Det. Brad Graham

John-

Per our conversation, I have reviewed the personnel file of Det. Brad Graham and it contains no derogatory information of any kind. More specifically, it contains no information that would warrant production under *Brady*.

Please let me know if you need anything further.

Thanks!

Michael J. Smith

Deputy City Attorney

Police Legal Advisor

3701 S. Pine St.

Tacoma, WA 98409

253-591-5573

mike.smith@cityoftacoma.org

THE CONTENTS OF THIS ELECTRONIC MAIL MAY BE CONFIDENTIAL AND PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE OR OTHER APPLICABLE PROTECTION. Any review, use, distribution or disclosure by others is strictly prohibited. If you have received this electronic mail in error, PLEASE NOTIFY ME BY E-MAIL, FAX OR TELEPHONE and PROMPTLY DELETE this electronic mail.

H

MICHAEL HECHT
4988 32ND STREET NE
TACOMA, WA 98422
(253) 952-8001 (home)
(253) 222-8001 (cell)
email: michaelhecht@yahoo.com

March 16, 2010

Internal Affairs

Re: **Detective Graham - Criminal Activity:** State v Michael Hecht, Pierce Co #09-1-010511

To whom it may concern:

I am the former Pierce County Superior Court Judge that was found guilty of criminal charges based in part on the coerced and perjurious testimony of four drug addicted prosecution witnesses.

I realize that my credibility is an important issue for you to consider in this matter. Before you review my facts and supporting documents in this matter, please take into account the following:

1. I never met prosecution witness John Marx prior to his testimony at my trial in October 2009. He has never been in my car, office or presence.
2. I never met prosecution witness Edward Smith prior to his testimony at my trial in October 2009. He has never been in my car, office or presence
3. I never met prosecution witness Joseph Hesketh IV prior to the day he was pointed out to me in September 2008. I did confront him but I did not make any threats to him at that time. Prior to the trial in October, 2009, I knew "blond Joey" for only 90 seconds.

ISSUE

Did Detective Graham coerce witnesses John Marx, true name Marx, John Earl, Jr., date of birth 04/02/1973; Edward Dean Smith, date of birth 07/06/1969, Social Security #518-13-5258; Joseph John Hesketh IV, date of birth 03/16/1984, and Joseph Joshua Robert Pfeiffer, date of birth 01/18/1988, to make false statements about Michael Hecht and to commit perjury at Michael Hecht's trial?

Yes, Detective Graham threatened to arrest John Marx for outstanding warrants and cause him to lose his apartment if he did not agree to make false statements about Michael Hecht.

Detective Graham threatened to arrest Edward Smith who was caught doing drugs at 4:00 a.m. in the morning if he did not agree to make false statements against Michael Hecht.

Detective Graham threatened Joseph Hesketh IV to continue making false statements about Michael Hecht which were originally scripted by the son of defeated Judge Serjio Armijo, Morgan Armijo and attorney Eric Bauer, who drafted the original declaration of Joseph Hesketh IV.

FACTS

Morgan Armijo, son of Judge Armijo, and attorney Eric Bauer, a family friend and supporter of Judge Armijo, enticed Joseph Hesketh IV into making false statements and scripted lies in the form of a declaration drafted by Attorney Bauer. They confronted Joseph Hesketh IV, a known heroine drug addict by telling him that they were in the process of filing a multimillion dollar lawsuit against Michael Hecht, allegedly to protect a thirteen year old boy that they stated Michael Hecht had molested. They told Mr. Hesketh that he and anyone else he know could get in on this lawsuit. There was no thirteen year old and there was no lawsuit pending, only a pretext to get drug addicted and street people to make false statements in the hope that they would receive considerable money from the alleged lawsuit. The attorney, Eric Bauer, was involved in litigation against YMCA involving similar accusations.

Prosecution witness, Joseph Hesketh, went to several areas in downtown Tacoma where homeless and drug addicted individuals obtain assistance and shelter. He told others that they could get in on the lawsuit. At this time, Joseph Hesketh approached Anthony Mingee, an acquaintance of mine, and asked him if he wanted to be part of this lawsuit.

Mr. Mingee stated that Joseph Hesketh IV also procured prosecution witness Edward Smith, who agreed to get involved in the lawsuit.. Mr. Hesketh arranged for Edward "Eddie" Smith to meet with Detective Graham at Nativity House, a daytime mission in Tacoma for the homeless. However, Mr. Smith decided not to get involved and when he saw Mr. Hesketh and Detective Graham at the Nativity House, he left.

Subsequently, Detective Graham put out a BOLO for Mr. Smith. Sometime later, 05/13/09, Tacoma Police Department Officer Beal came upon a van parked and occupied by two people doing drugs at approximately 4:00 a.m., in the 1500 block of South "G" Street. When Office Beal ran Edward Smith's name, he received the BOLO notice and asked Mr. Smith if he went by the name of "Eddie". Mr. Smith said yes and Office Beal told him that Detective Graham wanted to talk with him. At approximately 4:30 a.m., Detective Graham was contacted at Detective Graham's home by Officer Beal and was advised that they had "Eddie" Smith. At approximately 5:30 a.m., Detective Graham arrived at the van and put Eddie Smith in the front seat of his car. According to Detective Graham's report, he took a "statement" from "Eddie" Smith regarding Michael Hecht. **Mr. Mingee reported**

that he had been told by Mr. Smith what actually happened. Ms. Smith stated that he was told that he would be arrested for the drugs, i.e. in the van, if he did not say what Detective Graham wanted. In addition, Detective Graham gave Mr. Smith one of his business cards that he stated would "keep him out of trouble in the future". Mr. Smith showed this card to Mr. Mingee who read that it said: "Witness in case". See Declaration #2 of Mr. Mingee, Exhibit #9. Also **Discovery** pages 575-580, 583-589, Detective Graham's report. Mr. Mingee's live in girlfriend, Niccole Emmerit, was present at the conversation with Mr. Mingee and Edward Smith.

When Michael Hecht's criminal defense attorney, Wayne Fricke, requested the "incident report" of the above incident with Eddie Smith in the van, Mr. Fricke was told that there was no incident report filed by Officer Beal..

On 03/02/09 Morgan Armijo sent an e-mail to Detective Graham regarding John Marx's landlord, Edward Zacharcyyk, talked with John Marx and had information. **Discovery** page 169. Also, an e-mail from Morgan Armijo to Detective Graham said that Belinda Armijo participated in the John Marx Declaration, **Discovery** pages 173 and 185 and Declaration at **Discovery** page 171. In a supplemented report, Narrative **Discovery** page 186, "The apartment manager [Edward Zacharcyyk] said Belinda Armijo (Judge Armijo's wife) happened to be his attorney and he arranged for John Marx to give a statement to her. When Morgan Armijo found out that Belinda had done that he called Detective Graham with that information. **Discovery** page 186.

Prosecution witness John Marx, when interviewed by Detective Graham, allegedly stated that he saw Mr. Hecht's face on television and informed his landlord that he had relations with Mr. Hecht. And further stated, that his landlord suggested he see his attorney who scripted a declaration for Mr. Marx. In actuality, the attorney that his landlord suggested he meet with and with whom he did meet, was Belinda Armijo, the wife of Judge Armijo who lost the election to Michael Hecht.

In actuality, Mr. Marx told Patrick Graham, another street person, that **it was Detective Graham who was instructed to go to his "home" by Joseph Hesketh, and told Mr. Marx that there were outstanding warrants against him and if he did not make allegations against Mr. Hecht, he would be arrested. Additionally, Mr. Marx's landlord, told John Marx that if he was arrested, he would lose his apartment. See Declaration of Patrick Graham, Exhibit #10.** These facts are further substantiated in emails and police records provided to Michael Hecht's attorney, Wayne Fricke, in **discovery**.

In addition to the above, **Detective Graham had exculpatory evidence and failed to fully disclose that information, misleading the investigation.**

There was a lay witness, Mr. Grigsby, who reported and testified at trial that he saw Mr. Hecht pick up men in his "Blue Nissan", which Mr. Hecht purchased in 2007. And that prior to that Blue Nissan, Mr. Hecht's prior vehicle was a Lincoln. Detective Graham, in his investigation, reported that a search of the DOL records showed that Mr. Hecht "had owned" a 1989 Lincoln. However, **Detective Graham failed to report that the DOL records showed that the Lincoln was insurance destroyed on May 12, 1995, at least 12 years prior to the relevant date reported by Mr. Grigsby.** See Exhibit #11 (Department of Licensing Records).

Further, In the Declaration for Determination of Probable Cause, it stated that Mr. Pfeiffer reported to Detective Graham that prior to the "Nissan", Mr. Hecht had a "Green Honda". The report also stated that Mr. Pfeiffer first met Mr. Hecht two years prior to the January 19, 2009 interview with Detective Graham, therefore, in approximately January 2007, in reference to the Green Honda. **Detective Graham reported for the Probable Cause: "DOL records confirm that a green Honda was previously registered to Hecht". Declaration For Determination of Probable Cause, Page 3, Lines 8 - 9. Exhibit #12 Determination of Probable Cause.**

Although the DOL records confirm that Mr. Hecht had a Green Honda, Detective Graham did not disclosed that the records show the Honda owned by Mr. Hecht was sold and transferred to a Mr. Michael A. Jensen on approximately August 21, 2003, approximately three and one half years earlier than the relevant time frame for obtaining the probable cause warrant. Exhibit #13 Department of Licensing Records.

Detective Graham did not pursue any information that would not support the prosecution of Michael Hecht. Michael Hecht's attorney sent a letter and supporting declarations in defense of Michael Hecht to Assistant Attorney General Hillman. These declarations included those of Bethina Golden, Exhibit #8, and Anthony Mingee, Exhibit #7 as disclosed above. Detective Graham chose not to interview them in his investigation.

There were several other false factual statements made by the witnesses that because of the time line could not have come from them. One such statement that was made by Joseph Hesketh IV was that the office at 3643 North Pearl had "wood" flooring.. Mr. Hesketh's allegations were for a time period prior to 2003. **At the time Detective Graham came to the office to interview Ms. Grady, in late 2008, there were wood floors. However, the wood floors were not put in office until late 2005. Given his time frame, there is no way he would have known about the wood floors.**

Internal Affairs
Page 5
March 16, 2010

CONCLUSION

Internal Affairs should look into these accusations against Detective Graham because I believe that I have provided credible evidence of his actions. I am confident that if the prosecution witnesses I have detailed above, Joseph Hesketh IV, Edward Smith, John Marx and Joseph Pfeiffer, are questioned in a safe environment by the Internal Affairs they will likely provide the Internal Affairs with truthful and correct information.

Reference to materials provided in **discovery** are at the office of Attorney Wayne Fricke, 1008 Yakima Avenue, Suite 302, Tacoma, WA 98405, (253) 272-2157.

Sincerely,

Michael Hecht

TX Result Report

P 1

03/24/2010 10:03

Serial No. AOED012001140

TC: 11129

Addressee	Start Time	Time	Prints	Result	Note
5915227	03-24 10:02	00:00:56	000/006	No Ans	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
 MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax,
 BND: Double-Sided Binding Direction, SP: Special original, FCODE: F-code, RTX: Re-TX,
 RLY: Relay, MBX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax,
 I-FAX: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
 TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
 Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full,
 LOVR: Receiving length Over, POVR: Receiving page Over, FIL: File Error,
 DC: Decode Error, MDN: MDN Response Error, DSN: DSN Response Error.

MICHAEL HECHT

Telephone (253) 222-8001

Fax: (253) 761-0113

michaelhecht@yahoo.com**FACSIMILE TRANSMISSION COVER SHEET**

DATE: March 24, 2010

FROM: MICHAEL HECHT

TO: Lieutenant Fred Scruggs
City of Tacoma Police Dept.

FAX NO. (253) 591-5227

NO. OF PAGES: Six (6), including this page.

CONTENTS: Letter dated March 24, 2010.

COMMENT:

No HARD COPY TO FOLLOW BY: LEGAL MESSENGER
 U.S. MAIL

 WARNING: UNLESS OTHERWISE INDICATED, THE INFORMATION CONTAINED IN THIS FAX MESSAGE
 IS INFORMATION PROTECTED BY THE ATTORNEY-CLIENT AND/OR ATTORNEY-WORK PRODUCT
 PRIVILEGES. IT IS INTENDED ONLY FOR THE INDIVIDUAL NAMED ABOVE, AND THE PRIVILEGES ARE
 NOT WAIVED BY VIRTUE OF THIS HAVING BEEN SENT BY FAX. IF THE READER OF THIS FAX OR THE
 EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE NAMED RECIPIENT, IS NOT THE
 INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR
 COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS
 COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE
 ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. WE WILL
 PROMPTLY REIMBURSE YOU FOR THE TELEPHONE AND POSTAGE EXPENSES. THANK YOU!
 *TRANSMITTING FROM: (253) 761-0113

Email: michaelhecht@yahoo.com

MICHAEL HECHT

Telephone (253) 222-8001

Fax: (253) 761-0113

michaelhecht@yahoo.com

FACSIMILE TRANSMISSION COVER SHEET

DATE: March 24, 2010

FROM: MICHAEL HECHT

TO: Lieutenant Fred Scruggs
City of Tacoma Police Dept.

FAX NO. (253) 591-5227

NO. OF PAGES: Six (6), including this page.

CONTENTS: Letter dated March 24, 2010.

COMMENT:

No HARD COPY TO FOLLOW BY: LEGAL MESSENGER
 U.S. MAIL

WARNING: UNLESS OTHERWISE INDICATED, THE INFORMATION CONTAINED IN THIS FAX MESSAGE IS INFORMATION PROTECTED BY THE ATTORNEY-CLIENT AND/OR ATTORNEY-WORK PRODUCT PRIVILEGES. IT IS INTENDED ONLY FOR THE INDIVIDUAL NAMED ABOVE, AND THE PRIVILEGES ARE NOT WAIVED BY VIRTUE OF THIS HAVING BEEN SENT BY FAX. IF THE READER OF THIS FAX OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE NAMED RECIPIENT, IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. WE WILL PROMPTLY REIMBURSE YOU FOR THE TELEPHONE AND POSTAGE EXPENSES. THANK YOU!

*TRANSMITTING FROM: (253) 761-0113

Email: michaelhecht@yahoo.com

MICHAEL HECHT
4988 32ND STREET NE
TACOMA, WA 98422
(253) 952-8001 (home)
(253) 222-8001 (cell)
email: michaelhecht@yahoo.com

March 24, 2010

Lieutenant Fred Scruggs
City of Tacoma Police Department

FYI:

Word is that Edward Smith is living at the home of the following person:

Debbie McPeak
702 L Street, #3
(grey house on the corner)
(253) 572-5016

Anthony Mingee can be reached at (253) 203-5960. I also forgot to include that Patric Graham was intimidated by Detective Graham and he drafted an Affidavit and emailed it to Adam Lynn at the Tacoma News Tribune (see attached). Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to be 'Michael Hecht', written over a horizontal line.

Michael Hecht

ORIGINAL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE

STATE OF WASHINGTON,)
)
Plaintiff,)
)
vs.)
)
MICHAEL ANDREW HECHT,)
)
Defendant.)

NO: 09-1-01051-1

AFFIDAVIT OF
PATRICK GRAHAM

STATE OF WASHINGTON)
 : ss.
County of Pierce)

PATRICK GRAHAM, being first duly sworn, on oath, deposes and says:

I am over the age of eighteen and competent to be a witness herein.

I previously provided an affidavit to Wayne Fricke as part of the investigation in this case. I now make this affidavit as a part of the criminal investigation, as well as that being conducted by the Commission for Judicial Conduct.

After Michael Hecht was charged with the offenses in the above-entitled case, and after I had read the News Tribune article about the representations attributed to me, I became upset and contacted Mr. Fricke to clarify some issues.

1 He has shown me a copy of the declaration for determination of probable cause
2 filed by the Attorney General in this matter. As it relates to the representations of my
3 conversation with the detective on January 2nd, I did in fact speak to the detective in this
4 matter.

5 Initially, Mr. Fricke asked me whether Michael Hecht was threatening anyone,
6 and I told him no he was not, and nor was I aware of him threatening anybody. I also
7 indicated to him that to my knowledge he was not paying to have sex with anyone. I
8 further told him that he has given me money in the past, but it was not related to setting
9 him up with prostitutes or having sex in any way.

10 During the conversation, and after I told him this, it became clear that the
11 detective was not pleased with what I was saying. He then told me that if I did not tell
12 him about Mr. Hecht and what he wanted to hear that he could arrest me right then and
13 there for obstruction of justice.

14 After that threat, I then told him what was represented in the declaration for
15 determination for probable cause. That, however, is not accurate. I only made that
16 statement because I felt threatened by the detective and that I would be going to jail if I
17 did not tell him what he wanted to hear.

18 Additionally, attached hereto is an email that I received from Adam Lynn of the
19 Tacoma News Tribune and response to that email. I brought this in to Mr. Fricke's office
20 and provided it to him for his consideration.

21 ***

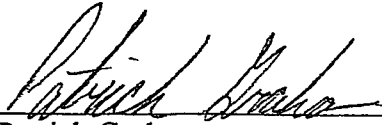
22 ***

23 ***

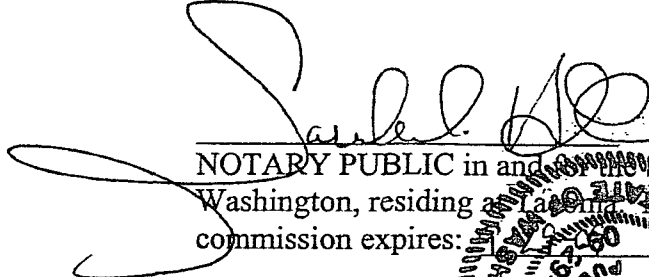
1 Again, I reiterate the comments that I made in the affidavit that I previously
2 provided to counsel for Mr. Hecht, and also what is stated above.

3 The above is true and accurate to the best of my knowledge

4 FURTHER YOUR AFFIANT SAYETH NAUGHT.
5
6

7 
8 Patrick Graham

9 SUBSCRIBED AND SWORN to before me this 4th day of March, 2009.

10
11 
12 NOTARY PUBLIC in and for the State of
13 Washington, residing at Tacoma
14 commission expires: 09-19-09



Print

Close

RE: Michael Hecht

From: grahampatrick69@hotmail.com

Sent: Wed 3/04/09 9:23 AM

To: adam.lynn@thenewstribune.com

first of all im so sick and tired of all this. it has nothing but done made me sick. first of all, after michael's election, i was informed that mr. hesketh was going around downtown stating that he was planning on suing, and trying to find people who would participate in this law suit. i then was reached by phone, by someone else who claimed to be a private detective, offerd to take me out for dinners and out for drinks, and started to offer me computers, cameras, protection against hecht, and get my record exponged, if i would testify against michael, and of course i refused. i was told that the only way i would get all this, is if i would. I soon found out that after, this person was not a detective, that he works for the health department, and that he was getting paid to go around and find people to say that they did mess around with mr. hecht. I then recieved a phone call from the ex judges son asking if i would yet get involved. and i said no. (which i have phone records of all these phone calls) I then recieved a phone call from a detective which he said he had questions, and when i had been answering them, i take it he was getting irritated because i was not telling him that mr. hecht was doing such things, so he had brought it to my attention that he could (lock me up) for obstruction of justice.

I am so sick of all this that people made this a political thing, thats the truth behind all this and that people are being offerd things to get mr. hecht off the bench. police are intagionizing others about all this, and going after people on the streets that are using drugs and have criminal backgrounds. It makes me sick to see people try to get an innocent man off the bench.

I have spent many years off and on the streets, and i have been there helping out alot people by getting money in there pocket, finding them work. does that make me a bad guy?

Date: Fri, 27 Feb 2009 19:21:14 -0800

Subject: Michael Hecht

From: adam.lynn@thenewstribune.comTo: Grahampatrick69@hotmail.com

Mr. Graham,

My name is Adam Lynn. I work as a reporter for The News Tribune. I'm working on a story for tomorrow about charges being filed against Judge Michael Hecht. Prosecutors name you in their charging documents, saying you have introduced Judge Hecht to men you know for a \$10 fee. They also write that you run a pornography business. I wanted to let you know that your name will appear in the story and give you a chance to comment.

You can reach me at my desk (253-597-8644) until 8 tonight. My editor, Randy McCarthy, will be at his desk (253-597-8277) until 10 p.m.

Adam Lynn

Staff Writer

The News Tribune

(253) 597-8644

adam.lynn@thenewstribune.comblogs.thenewstribune.com/crime



Michael Hecht - FYI

Friday, April 9, 2010 3:50 PM

From: "Michael Hecht" <michaelhecht@yahoo.com>

To: fscruggs@cityoftacoma.org

1 File (273KB)



Fricke Lett...

Dear Lieutenant Scruggs:

I told you we asked for the incident report where officer Beal apprehended Eddie Smith at 4:00 a.m., called Detective Graham and was allegedly interviewed by Detective Graham at 5:30 a.m. See the attached letter from Wayne Fricke to John Hillman. We asked for a lot more than the incident report. They said there was no incident report and we were provided with no other information as requested.

Sincerely,

Michael Hecht
Attorney at Law
253)222-8001
253)761-0113 (fax)

HESTER LAW GROUP, INC., P.S.

Principals:
Monte E. Hester
Wayne C. Fricke
Brett A. Purtzer
Lance M. Hester

1008 S. Yakima Avenue
Suite 302
Tacoma, Washington 98405
253-272-2157
Fax: 253-572-1441
www.hesterlawgroup.com

Associate Attorneys:
Casey Arbenz

Reply to:
wayne@hesterlawgroup.com

July 7, 2009

John Hillman
Office of the Attorney General
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188

Re: State of Washington vs. Michael Hecht
PCSC Cause No. 09-1-01051-1


Dear Mr. Hillman:

As a further discovery request, I would ask that I be provided all information related to the statement given by Edward Smith. For instance, if there were any internal police documents or emails or any other communications that requested a look out for this individual, I would ask that that be provided to me. Additionally, I would ask for the actual arrest report, or any other report by any officer, including Officer Beal, memorializing when he was encountered and interviewed by the police, and who he was with when he was found.

Secondly, please provide me with copies of Det. Graham's personnel file. This request is made pursuant to United States v. Henthorne, 931 F.2d 29 (1991).

If you have any questions or concerns or feel that this is not part of your obligation, please notify me so that I can request a hearing in this matter.

Very truly yours,



Wayne C. Fricke

WCF:smh
Cc: Client

I

Tacoma Police Department Supplemental Report

Incident No. 083300302.20

Page 3 of 8

License Country:

Vehicle Year:

Make:

Model:

Vehicle Style:

Primary Vehicle Color:

Secondary Vehicle Color:

VIN:

Special Features:

Drug Information:

Drug Type:

Drug Quantity:

Jewelry Information:

Metal Color:

Metal Type:

Stone Color:

Firearm Information:

Caliber:

Gauge:

Action:

Importer:

Delinquent Payment:

Victim Consent:

Driveable:

Estimated Damage:

Damage:

Damaged Area:

Tow Company:

Tow Consent:

Hold Requested By:

Drug Measure:

Drug Measure Type:

Total # of Stones:

Inscription:

Generally Worn By:

Length:

Finish:

Grips:

Stock:

Property Notes: Sony Microcassette of interview with Eddie Dean Smith on 5/13/09

Enter	Date	Time	WACIC	LESA	Initial	Release Info.	Date	Time	Release No.	Release Authority
ear						Owner Notified			Operators Name	

Investigative Information

Means:

Motive:

Vehicle Activity:

Direction Vehicle Traveling:

Synopsis: Taped Interview with Edward Dean Smith on 05/13/09

Narrative: Investigative Follow-Up:

I had notified Patrol Officers working the area of the Nativity House that I was interested in speaking with EDWARD DEAN SMITH. On 05/13/09, at about 4:45 am, I was called by PPO W. BEALS that he came across SMITH near the Nativity House. He told SMITH I was interested in speaking with him and SMITH agreed to talk with me.

At about 5:30 am, I met with SMITH in the 1500 block of S. G Street. We sat in the front seat of my unmarked police car. I identified SMITH via his Washington State ID Card.

I told him that I was working on the investigation centering on MICHAEL HECHT and wanted to ask him some questions about it. He agreed and told me that he had previously worked as a male prostitute in the downtown area and that's where he first came into contact with HECHT. When asked, he said he was paid for sex by HECHT.

At that point, I asked him if we could tape the interview and he agreed to complete the interview on tape. The taped transcript follows:

For Law Enforcement Use Only – No Secondary Dissemination Allowed

HECHT 000575
Printed: May 18, 2009 - 9:35 AM
Printed By: Graham, Bradley

J



State v Hecht

Wednesday, August 12, 2009 11:57 AM

From: "Michael Hecht" <michaelhecht@yahoo.com>
To: "Wayne Fricke" <wayne@hesterlawgroup.com>
SupplementalWitnesses081209.wpd (7KB)

Wayne:

Attached is my supplemental witness list.

Sincerely,

Michael Hecht
Attorney at Law
253)222-8001
253)761-0113 (fax)

Wayne defendant's witness list includes the right to call anyone appearing on the prosecuting attorney's witness list. So I have not included anyone on their list. However, the following people are not on our list or the State's list of witnesses:

Judge Stolz

Feel free to talk to her. She has agreed to testify and has knowledge of my vast dealings with Antique Row.

Belinda Armijo

Drafted the Declaration with John Marx (she was also Ed Zacharcyyk's attorney)

Clyde Randel Fields

Owner of Siverstone and will counter State's witness Jesse Drew

Joseph Brooks

My son's friend who worked on art projects on Antique Row

Brandon Davis

My son's friend who worked on art projects on Antique Row

Steve Downing, Attorney

Has knowledge of my having an Antique/Furniture store on Division during the summer of 2001 and that I did not have a law office on Pearl Street.

Jim Gentile

Has knowledge of my having an Antique/Furniture store on Division during the summer of 2001 and that I bought and sold antiques

R.W. Ferguson

Has knowledge of my having an Antique/Furniture store on Division during the summer of 2001 and that I bought and sold antiques

Geoffrey Oliver

Helped him with DSHS for no fee

Michael Jaynes

Has information that I helped people downtown and he met with Morgan Armijo's investigator, George Hermosilo.

Wayne Swanson-Retired Stadium teacher

Aware of my involvement with Antique Row for 20 years and knows I was legitimately on Antique Row/Broadway

Larry Williams-Retired Stadium counselor

Has known me for 20 years and is aware of my legitimate dealings in antiques and Antique Row. Also during 2008 I met with him many times on legal matters regarding his new store on Broadway/Antique Row.

Eric Bauer-Attorney

Drafted the declaration of Joseph Hesketh and he and Morgan paid Hesketh money.

Cynthia Nagle and John Nagle

1996 office share with them at the Tacoma Mall Building - counters Bryan Cornforth's allegations

Chris Taylor-Retired detective

Aware that I would help people for no charge

Barbara Nimrick

Aware that I would help people for no charge

If 04/14/2009 incident with CJC and detective following me to office when I picked up Nate Duran is brought up - Rebuttal Witnesses:

Jim Gentile

Information

Chris Flower

Information

Kathy Krasko

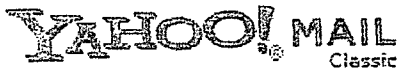
Information

All of the above people except Judge Stolz have provided you with declarations.

Note:

1. Have we received the copy of the original Affidavit signed by Joseph Hesketh - drafted by Eric Bauer?
2. Where do we stand on reviewing the employment file of Detective Graham?
3. In reference to the alleged statement by Edward Smith - do we have Officer Beals incident report? Do we have Detective Graham's bulliten looking for Eddie Smith?

K



RE: State v Hecht

Wednesday, August 12, 2009 1:24 PM

From: "Michael Hecht" <michaelhecht@yahoo.com>
To: "Wayne" <Wayne@hesterlawgroup.com>
Cc: "Sarah Heckman" <Sarah@montehester.com>

Larry Williams and Wayne Swanson are very credible and knowledgeable people. They would be on the top of my list to support me at trial. As far as anyone else, use your judgment.

Sincerely,

Michael Hecht
Attorney at Law
253)222-8001
253)761-0113 (fax)

-- On Wed, 8/12/09, Wayne <Wayne@hesterlawgroup.com> wrote:

From: Wayne <Wayne@hesterlawgroup.com>
Subject: RE: State v Hecht
To: "Michael Hecht" <michaelhecht@yahoo.com>
Date: Wednesday, August 12, 2009, 12:47 PM

We have many witnesses who speak of your dealings on Antique Row. The rule on cumulative evidence rule will prevent us calling each and every person who has knowledge of your dealings on Antique Row from testifying. Not to mention that we will lose touch with the jury and risk their anger for calling every person. I sure as hell don't want to call Bauer or Armijo -do you think they will want to help you?

From: Michael Hecht [mailto:michaelhecht@yahoo.com]
Sent: Wednesday, August 12, 2009 11:58 AM
To: Wayne
Subject: State v Hecht

Wayne:

Attached is my supplemental witness list.

Sincerely,

Michael Hecht
Attorney at Law
253)222-8001
253)761-0113 (fax)

L

Phone Records

GERALD HOAN 798-7586

Office Source Man 798-7792

Confidante Sec. of Gerald Hoan

HENTHORN Request
Per 9th Cir

PROS. Review

Personall files of
Det. Graham -

complaint - Investigation notes
anything against Graham -

Telephone Records

Call Budget + Finance

Who handles County phone - Records
AKA AMA Dump (In + out going -
TWAches located)

* Gerald Hoan -

* Graham

* Morgan Arroyo -

* ERIC BAUER

Investigate - JOHN EARL MARX
EDWARD SMITH
George Demosilo
BRYAN CORNFORTH

Wesley to Stat H.G. Rob McKenna
A.G. Seattle Brian MORAN

Joe Heckel - Professional Visit list

" No work product "

Freedom of Information - + or Supers
E-Mail Hillman ↔ Horn

Horn ↔ Judge ARKgo

PROSS. off line ↔ A.G.

PROSS. for A.G. ↔ TPD

"

"

↔ State Patrol
MORGAN ARMISTEAD

E-Mail to

E-Mail to or from ^{any one} GRAHAM.

WAsingler Coate. Gov ? --

Search case records by NAME
get of files see who with who?

* NOT shown A/CIC = only resulted in
Conviction

Note Graham = Sex case detective
Hillman + Graham Many cases
he left only a few years ago to A.G.
"Public Disclosure Request"

Pros. Criminal Records division
Data Records

* in Civil Division give report
to Doug Van Scoi

1. what cases Hillman handled
2. All cases Det. Graham presented. Pros office

EAGY
get in
5 days
Per
Public Disc
Request

M

Graham, Bradley

From: morgan@armijoinvestigations.com

Sent: Monday, March 02, 2009 11:15 AM

To: Graham, Bradley

Subject: Hecht

Detective, a new source came forward a couple or three weeks ago. His name is John Marx. I don't have contact info for him specifically or his date of birth. From what I understand he heard about the Hecht issue through the media and he told his landlord he had information. The landlord then contacted Belinda Armijo and from what I understand Belinda told him (landlord) to have John Marx document what he knew.

Ed Zacharcyyk is the landlord. His phone numbers are (253-588-3636) and (253-307-2810). I believe the second number is his cell phone and the first is his business number. From what I understand you can locate John Marx through his landlord.

I have a copy of his statement and I will get it to you however you want me to.

Thank you,

Morgan Armijo
Armijo Investigations

Ph: 253-841-1130

Cell: 253-431-1601

Fax: 253-881-1357

morgan@armijoinvestigations.com

HECHT 000173

3/2/2009

Testify:

Facial Shape:

Witness Notes:

Investigative Information

Means:

Motive:

Vehicle Activity:

Direction Vehicle Traveling:

Synopsis: **Interview with Bryan Cornforth - 3/3/09**
Interview with John Marx/Ed Zacharcyyk - 3/2/09

Narrative: **Investigative Follow-Up:**

On 03/02/09, I received an email from MORGAN ARMIJO. He said that EDWARD ZACHARCYYK called to report that a tenant of his named JOHN MARX had information on the HECHT investigation.

ARMIJO sent me a fax of the statement MARX made on 02/12/09.

On 03/02/09, in the afternoon, I spoke with ZARCHARCYYK. He said he owns the apartment building at 3113 Bridgeport Way, University Place. MARX is one of his tenants. He said MARX told him that he read the article in the paper about HECHT and had some experiences with him. MARX told him that when he was homeless HECHT made some sexual advances on him. He provided me with MARX's contact information.

On 03/02/09, in the evening, Detective QUILIO and I met with MARX at his University Place apartment. Our visit was unannounced.

Refer to Detective QUILIO's Supplemental Report for details.

On 03/02/09, I was contacted by Assistant Attorney General J. HILLMAN who reported that BRYAN CORNFORTH called the AG's Office saying he had information on this investigation. CORNFORTH's contact information was forwarded to me. I spoke with CORNFORTH that evening and scheduled an interview for the following day.

Contacted - Bryan Cornforth:

On 03/03/09, in the mid-morning, Detective J. QUILIO and I met with CORNFORTH at his Bonney Lake residence. He lives with his parents who were not home at the time we arrived.

CORNFORTH said he called the AG's Office after seeing the news report on TV about HECHT. He said it made him upset because of a run-in he had with HECHT in 1996 when CORNFORTH was 19 years old.

CORNFORTH said HECHT approached him in downtown Tacoma and they struck up a conversation. HECHT told him he was a lawyer and CORNFORTH spoke about needing legal advice on a civil matter. HECHT offered to provide legal services for him. When CORNFORTH said he couldn't afford to pay for legal services, HECHT told him, "We'll work something out".

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

In re: _____

Petitioner,

and _____

Respondent.

NO. _____
Declaration of _____

I, John Marx, declare under penalty of perjury under the laws of the State of Washington that this statement is true and correct.

I was introduced to Mr Heck, Mike
2000, 2001. A friend of mine Pat
introduced us. And he says to me
that Mike and a bunch of lawyers
that hangout at the silver stone pacy
for sex and he set up a meeting
between me and Mike sometime
between Summer 2000 2001 were
Mike

Declaration Page No. 1

1 Picked me up a tellys on broadway
2 and took me his office on pearl
3 st on about 4 to 5 times and offered
4 me \$50 Dollars so he could give me
5 A blow Job and for me to be touched.
6 The reason that even went becaus
7 I was Homeless and going through
8 a Divorce. He At that time He
9 told me would get my 2 charges
10 Sealed or help me when he became
11 County Judge and he never did
12 Had seen Mike Hecht about 2008
13 Summer to tell me I should Leave
14 town because things are going to
15 get worse to me and ever since
16 it has. I came forward to my
17 landlord because about a recent news
18 article that the two I witness agd'nt
19 milk I know them from my past

20 Signed at (city) University Place WA on (date) FEB 12 2009.

21 Signature of Witness

22 Print your Name: John Smith

23 Declaration Page No. 2

COMPLAINT FORM



STATE OF WASHINGTON COMMISSION ON JUDICIAL CONDUCT

P.O. Box 1817 Olympia, WA 98507 (360) 753-4585 Fax (360) 586-2918

For Office Use Only

Inq.# _____

CONFIDENTIAL

This form is designed to provide the Commission with information required to make an initial evaluation of your complaint, and to begin an investigation of your allegations. Please read the accompanying materials on the Commission's function and procedures before you complete this form.

- ▶ Materials filed in the Commission's confidential records cannot be duplicated for you.
- ▶ If you need to maintain a record, keep a copy.
- ▶ Do not send original records you wish to keep without making prior arrangements for their loan, safe delivery and return.

PLEASE TYPE OR PRINT ALL INFORMATION

Your Name: Ted Gonzalez

Address: P.O. Box 642

City: Tacoma State: WA Zip: 980401-0642

Daytime telephone: 253-594-5540 Evening telephone: _____

Name of Judge/Commissioner: Michael Hecht (recently elected)

County: Pierce - elected 2008 For 2009 term

Court level: ☐ Municipal ☐ District ☒ Superior ☐ Appeals ☐ Supreme

Case Name and Docket Number, if applicable: _____

Attorneys involved: _____

If this complaint relates to a trial or other court proceeding, has it been or will it be appealed?

☐ Yes ☒ No ☐ Not applicable

(CF-1)

HECHT 000209

Please provide a brief summary of the unethical actions or behaviors that you believe were committed by this judge or commissioner. (If you wish, you may refer to the Code of Judicial Conduct which you can find in the Washington Court Rules or on our website at www.cjc.state.wa.us.)

1998 to present (ongoing) Violating law which prohibits
Solicitation of prostitution, contributing to the delinquency
of a minor, child molestation, intimidation and harassment

Please list the dates of alleged misconduct: 2000, 1998, 2008,

SUPPORTING FACTS:

Please state specific facts to support your allegation(s) of judicial misconduct. Include all pertinent dates, and name(s) of witnesses, if known. Attach copies of any documents which may support your position. You may attach additional pages if needed.

Witnesses who are able to confirm the allegation /
Fact that Michael Hecht has and continues to
solicit prostitutes (Male), ~~and~~ usually street or Kids
living on the street because they are vulnerable.
This is not a recent event or single, he has been
carrying on taking advantage of these vulnerable
persons to date. He now alleges that he "Feeds"
homeless kids, well, he may Feed them or give them
food in exchange for sex because they are Kids who
may not have a choice: Joseph HesKeth, 360-4704944,
Sarah Kirkman of Pierce County Security: 253-376-9870,

Signed: *Jason M. Hargis*

Date: 11.17.08

Send completed form to: Commission on Judicial Conduct, PO Box 1817, Olympia, WA 98507

Note: Due to confidentiality requirements complaints cannot be accepted via e-mail.

[If you have a disability which requires assistance in filing a complaint or you would like this form in an alternate format, such as Braille, large print or audio tape, contact this office at (360) 753-4585 voice or TDD. We will take reasonable steps to accommodate your needs.]

Revised 3/20/03

HECHT 000210

Please provide a brief summary of the unethical actions or behaviors that you believe were committed by this judge or commissioner. (If you wish, you may refer to the Code of Judicial Conduct which you can find in the Washington Court Rules or on our website at www.cjc.state.wa.us.)

See other page

Please list the dates of alleged misconduct: See other page

SUPPORTING FACTS:

Please state specific facts to support your allegation(s) of judicial misconduct. Include all pertinent dates, and name(s) of witnesses, if known. Attach copies of any documents which may support your position. You may attach additional pages if needed.

Witnesses: Fidel Pino - All American Barbershop
757 St. Helen's Ave. 627-8540 (253),
Albert Milliken, 253-651-0340
Guy Shephard, 253-779-0520

These people are afraid of M. Hecht based on his
threats to them and have asked why he is
permitted to conduct himself as he does without being
checked. They have also asked what is being
done on behalf of their concerns. I am signing
this and sending in information based on my fear for the
people.

Signed: _____

Date: _____

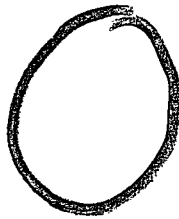
Send completed form to: Commission on Judicial Conduct, PO Box 1817, Olympia, WA 98507

Note: Due to confidentiality requirements complaints cannot be accepted via e-mail.

[If you have a disability which requires assistance in filing a complaint or you would like this form in an alternate format, such as Braille, large print or audio tape, contact this office at (360) 753-4585 voice or TDD. We will take reasonable steps to accommodate your needs.]

Revised 3/20/03

HECHT 000211



1 say he knows that he's engaged in any of this activity.

2 Again, one being angry, somebody spreading rumors is one
3 thing, but to say this shows that he threatened to kill
4 Mr. Hesketh, quite frankly, it's absurd. Beyond that, I
5 don't have anything else to say, Your Honor.

6 THE COURT: All right. Initially, I'm going to
7 indicate that the context of the statement can come in.
8 The statement itself can't. We'll have to readdress it at
9 trial, but I think the jury may be inclined to use that as
10 propensity evidence, that he threatened Mr. Milliken, and
11 he's threatening people, then it's more likely that he
12 threatened Mr. Hesketh, but I think we need to hear from
13 the witnesses first. I'll reconsider that at trial, if I
14 believe that it's more probative than unduly prejudicial.

15 MR. HILLMAN: Thank you, Your Honor. Just so I
16 understand, so I know what to tell the witnesses, the chain
17 of events is admissible; the fact that the defendant came
18 to Mr. Milliken's shop and was angry and there were words
19 exchanged is admissible, but just not the "you're messing
20 with the wrong person."

21 THE COURT: Right.

22 MR. HILLMAN: Okay. Your Honor, I think that's it for
23 the State's remaining motions.

24 THE COURT: Well, there's the one remaining issue
25 about the -- if the defense is still making a request that

1 you're asking that I not allow access to the lead
2 detective, I believe --

3 MR. HILLMAN: Right.

4 THE COURT: -- the personnel files.

5 MR. HILLMAN: Right. That was the defendant's motion.

6 THE COURT: It wasn't really a motion. That was, I
7 think, an issue between the two of you, and then you
8 brought it up by way of a motion. Is the defense still
9 pursuing that?

10 MR. FRICKE: I'm going to make a written proffer, and
11 then I'll let the Court rule on it at that time as to why I
12 think the Court should, I guess, based on the cases that I
13 read, should sign a subpoena, and then the Court can decide
14 at that time for the records.

15 THE COURT: Based on what I've read, I think the State
16 has done what they need to do. I'll read it, if you choose
17 to brief it.

18 MR. FRICKE: Thank you, Your Honor. I mentioned
19 yesterday the State had proffered some additional evidence
20 to me, via e-mail, some additional information that they
21 had. It related to Joseph Pfeiffer and a statement by one
22 of the security officers down there that she had witnessed
23 him on an occasion -- I don't know it's dated
24 necessarily -- but it witnessed him performing a sexual act
25 on a male in a car in the Antique District. It's my belief

P

1 issues that you should probably think about and maybe
2 brief in terms of cross admissibility and things, so my
3 preference is just to reserve that for the day of trial.

4 MR. FRICKE: That's fine, Your Honor, I
5 have to renew it on the day of trial anyway, so --

6 THE COURT: Okay.

7 MR. FRICKE: I have a couple matters,
8 brief, Your Honor, one of which is, I talked to Mr.
9 Hillman about this, I made a request of him in early
10 July based on the federal case, U.S. vs Henthorne, 931
11 F.2d 29, to be able to look at.

12 THE COURT: I'm sorry, 931 F.2d --

13 MR. FRICKE: 29, 1991, excuse me, and
14 "Henthorne" is H-E-N-T-H-O-R-N-E, to obtain the
15 personnel file of Detective Graham and determine if
16 there's anything relevant for the purposes of cross
17 examination.

18 Mr. Hillman, my understanding, based on our
19 communications, mostly via e-mail, were that he would
20 look into it. He did respond to me, indicated -- and I
21 can't remember the individual's name, but someone
22 within, I believe the TPD, if I'm not mistaken, legal
23 advisor of some sort, but he can correct me if I'm wrong
24 on that, indicated there was nothing in the file of
25 relevance, in essence, that's not verbatim, but that's

1. the essence of the communication.

2 My request, Your Honor, is that the Court do an ex
3 parte review of that file because I would have more
4 confidence in the outcome if there's an independent
5 individual looking at that making that determination as
6 opposed to a legal advisor to the City's office.

7 THE COURT: Okay. And what are the
8 detectives' names again?

9 MR. FRICKE: I actually only asked for
10 Detective Graham.

11 THE COURT: Graham, okay.

12 And Henthorne says what about it?

13 MR. FRICKE: Basically, in essence, and
14 I have a copy of the case here. I think I have a copy
15 of the case. You know, we're looking to see if there's
16 indications of, in essence, dishonesty and -- anything
17 that goes to credibility.

18 THE COURT: Well, in terms of when the
19 Court should allow it.

20 MR. FRICKE: Oh, well, I think
21 basically anything that addresses credibility, then we
22 should have access to that in the broad sense.

23 THE COURT: So in every case if it's
24 requested, you're saying the Court should do this, or
25 basically, any officer that testifies.

1 MR. FRICKE: But I'm asking for the
2 lead detective --

3 THE COURT: I know.

4 MR. FRICKE: If it's requested, and I
5 think -- I don't want to get too general and talk about
6 hypotheticals, but I think specifically in the lead
7 detective I have that right.

8 THE COURT: Okay. I'll need to read
9 the case if the State's opposed to this.

10 MR. HILLMAN: Yes, Your Honor. And Mr.
11 Fricke asked if it's okay if he made this motion, I said
12 yes, but I'm realizing I do have cases that I would like
13 the Court to read, and I can e-mail them, but they're
14 subsequent, I can't remember, I wrote a letter to Mr.
15 Fricke where I may have cited them, but there's cases
16 subsequent to Henthorne that I think clarify Henthorne.

17 And what I believe the Court will find those cases say
18 is that if somebody who's capable of determining what's
19 Brady material reviews the file, in this case it was a
20 Tacoma City attorney who does this, for some reason in
21 federal court this is a routine request by the defense,
22 and Tacoma Police Department does a lot of cases that
23 wind up in federal court, and this person routinely
24 reviews officer personnel files to determine if there's
25 any Brady material, anything that the defense could use

1 to impeach the person and the officer at issue, and the
2 Tacoma City attorney advised me, and I related to this
3 Mr. Fricke, that he had reviewed the file, there was
4 nothing in there that was Brady material. In fact, was
5 almost all commendations and positive things, and I
6 believe that the case law that the Court will review
7 says that once -- that once that's done, the State's met
8 its Brady obligations. And unless the defense can show
9 some reason why the Court should conduct an in camera
10 review, then it's not necessary.

11 But you obviously don't have those cases in front of
12 you, but I can e-mail them to the Court and counsel.

13 THE COURT: All right. And is there
14 any opportunity for you to also review that file as some
15 middle ground?

16 MR. HILLMAN: I could.

17 THE COURT: I'm a little concerned that
18 their office has -- I know that they separate, or at
19 least in King County we separate civil or criminal, but
20 their offices recused themselves from this case, and
21 whether that presents any issue at all, that they
22 shouldn't be the ones --

23 MR. HILLMAN: This isn't the Pierce
24 County Attorney's Office, this is the Tacoma City
25 Attorney.

Q

1 the past he had been diagnosed with depression but not
2 something he is on medication for or anything. State
3 would move to exclude that.

4 **MR. FRICKE:** No intention of asking him about that,
5 Your Honor, but my -- which is just my perception during
6 the interview is that his psychological -- look for the
7 right word to use -- potential issues I guess is what I
8 will say, just my perception, that they go beyond
9 depression and, quite frankly, I was debating whether to
10 see if he's even competent to testify.

11 But that's just a layperson's perception during the
12 course of the interview. But the depression issue,
13 that's nothing I intend to go into.

14 **THE COURT:** Okay. So your motion's granted. If
15 there's some issue with respect to -- I have not ever had
16 a witness's competency even raised so I am not sure if
17 there's procedure like there is with a defendant. May or
18 may not be competent.

19 **MR. HILLMAN:** Your Honor, he likes to talk. He's a
20 little eccentric; he can answer questions and give
21 answers.

22 **MR. FRICKE:** Well, I'll just say my perception is what
23 it is.

24 **THE COURT:** All right. If it was your client as a
25 defendant, you may raise a competency issue, is that --

Motion to exclude

1 deny ever telling Mr. Fricke I refuse to set up
2 interviews until after this hearing, that's just simply
3 not true.

4 With respect to an evidentiary hearing, I'll just say
5 that Kilgore says you can have a hearing if you want
6 one, but I would -- the court in that opinion suggests
7 that in a situation like this you don't need to have
8 one.

9 I provided State vs Bennett to the Court last time,
10 and I think Bennett is strikingly similar to this case.
11 In Bennett, the defendant was accused of going to
12 downtown Tacoma, just like the defendant in this case,
13 finding teenaged persons who were on the street,
14 homeless people, picking them up, taking them back to
15 his apartment and saying I'll give you food, money or
16 shelter in exchange for sex; and the State had charged
17 the defendant with engaging in this conduct with two
18 different victims, and the court allowed the State to
19 introduce two other persons who had gone through the
20 same experience.

21 And in Bennett the court said, we're first going to
22 consider the relevance of this evidence, and they said,
23 if the existence of the plan makes it more probable that
24 the defendant had sexual intercourse with victims one
25 and two, then the first step towards admissibility is